

Trial Exhibit No.	Offering Party	Designation	Description	Bates Number	Prior Exhibit Number	Objections	Basis for Admission
1000	Google	Restricted		GOOG-WEBV-00029723		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1001	Google	Restricted		GOOG-WEBV-00030490	Google Dir. Ex. 018		
1002	Google	Restricted		GOOG-WEBV-00031580	Google Dir. Ex. 025		
1003	Google	Restricted		GOOG-WEBV-00031933	Google Dir. Ex. 020		
1004	Google	Restricted		GOOG-WEBV-00032022	Google Dir. Ex. 019		
1005	Google	Restricted		GOOG-WEBV-00032118	Google Dir. Ex. 021		
1006	Google	Restricted		GOOG-WEBV-00032126	Google Dir. Ex. 024		
1007	Google	Restricted		GOOG-WEBV-00032826	Google Dir. Ex. 011		
1008	Google	Restricted		GOOG-WEBV-00033335	Google Dir. Ex. 009		
1009	Google	Restricted		GOOG-WEBV-00033436	Google Dir. Ex. 007		
1010	Google	Restricted		GOOG-WEBV-00033912	Google Dir. Ex. 023		
1011	Google	Restricted		GOOG-WEBV-00034064	Google Dir. Ex. 017		
1012	Google	Restricted		GOOG-WEBV-00034085	Google Dir. Ex. 008		
1013	Google	Restricted		GOOG-WEBV-00035393	Google Dir. Ex. 010		
1014	Google	Restricted		GOOG-WEBV-00035398	Google Dir. Ex. 022		
1015	Google	Restricted		GOOG-WEBV-00035912	Google Dir. Ex. 012		
1016	Google	Restricted		GOOG-WEBV-00036388	Google Dir. Ex. 003	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1017	Google	Restricted		GOOG-WEBV-00036476	Google Dir. Ex. 002	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1018	Google	Restricted		GOOG-WEBV-00036664		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1019	Google		RESERVED				

**SoundExchange maintains that irrespective of the number of exhibits marked "Reserved" on this list, each participant group is only permitted to reserve 150 exhibits, as provided in the Judges' 2/26 Order on Hearing Schedule (see ¶ 17)*

1020	Google	Restricted		GOOG-WEBV-00036742	Google Dir. Ex. 004	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1021	Google	Restricted		GOOG-WEBV-00036820		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1022	Google			RESERVED			
1023	Google	Restricted		GOOG-WEBV-00036963	Google Dir. Ex. 001	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1024	Google	Restricted		GOOG-WEBV-00037015		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
1025	Google	Restricted		GOOG-WEBV-00039373	Google Dir. Ex. 026		
1026	Google	Restricted		GOOG-WEBV-00039374	Google Dir. Ex. 027		
1027	Google	Restricted		GOOG-WEBV-00039375	Google Dir. Ex. 028		
1028	Google	Restricted		GOOG-WEBV-00039376	Google Dir. Ex. 006		
1029	Google	Restricted		GOOG-WEBV-00053694		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Cumulative (FRE 403)	
1030	Google	Restricted		GOOG-WEBV-00053714		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Cumulative (FRE 403)	
1031	Google	Restricted		PANWEBV_00004992			

1032	Google	Restricted		PANWEBV_00005032		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Best Evidence (FRE 1002); Incomplete (FRE 106); Confuses the Issues (FRE 403)	<p>FRE 602: Google can and will establish personal knowledge/foundation through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 1002: Rule 1002 is inapplicable. This is the original skips data that Pandora has produced in this proceeding as data tracked in its ordinary course of business.</p> <p>FRE 106: The exhibit is not incomplete. Introducing it in this form will not be misleading or take matters out of context. See Courtroom Handbook Fed. Evid., Rule 106 Remainder of or Related Writings or Recorded Statements (2020 ed.) (noting that the rule "is based on two considerations the danger that material may be made misleading by being taken out of context, and the inadequacy of a delayed repair.").</p> <p>FRE 403: SoundExchange has presented no evidence that this document is inaccurate, prejudicial, or duplicative of other exhibits. It is data relied on by experts, including Dr. Peterson, when comparing available benchmarks. As such the data has definite value to the litigation.</p>
1033	Google		RESERVED				
1034	Google	Restricted		SOUNDEX_W5_000004471			
1035	Google		RESERVED				
1036	Google	Restricted		SOUNDEX_W5_000004573			
1037	Google	Restricted		SOUNDEX_W5_000004574			
1038	Google	Restricted		SOUNDEX_W5_000004575			
1039	Google		RESERVED				
1040	Google		RESERVED				
1041	Google		RESERVED				
1042	Google		RESERVED				
1043	Google	Restricted		SOUNDEX_W5_000010776			
1044	Google	Restricted		SOUNDEX_W5_000010941			
1045	Google	Restricted		SOUNDEX_W5_000011395			
1046	Google		RESERVED				
1047	Google	Restricted		SOUNDEX_W5_000012737			
1048	Google	Restricted		SOUNDEX_W5_000012846			
1049	Google	Restricted		SOUNDEX_W5_000013171			
1050	Google	Restricted		SOUNDEX_W5_000015811			
1051	Google	Restricted		SOUNDEX_W5_000015943			
1052	Google	Restricted		SOUNDEX_W5_000015946			
1053	Google	Restricted		SOUNDEX_W5_000015963			
1054	Google	Restricted		SOUNDEX_W5_000015964			
1055	Google		RESERVED				
1056	Google	Restricted		SOUNDEX_W5_000017340			
1057	Google		RESERVED				
1058	Google		RESERVED				
1059	Google	Restricted		SOUNDEX_W5_000018418			

1060	Google		RESERVED				
1061	Google	Restricted		SOUNDEX_W5_000020008			
1062	Google		RESERVED				
1063	Google	Restricted		SOUNDEX_W5_000020691			
1064	Google	Restricted		SOUNDEX_W5_000020761			
1065	Google	Restricted		SOUNDEX_W5_000021694			
1066	Google	Restricted		SOUNDEX_W5_000021847			
1067	Google	Restricted		SOUNDEX_W5_000021857			
1068	Google		RESERVED				
1069	Google	Restricted		SOUNDEX_W5_000021990			
1070	Google	Restricted		SOUNDEX_W5_000022441			
1071	Google	Restricted		SOUNDEX_W5_000022551			
1072	Google	Restricted		SOUNDEX_W5_000022559			
1073	Google	Restricted		SOUNDEX_W5_000022561			
1074	Google	Restricted		SOUNDEX_W5_000022563			
1075	Google	Restricted		SOUNDEX_W5_000022566			
1076	Google	Restricted		SOUNDEX_W5_000024826			
1077	Google	Restricted		SOUNDEX_W5_000024858			
1078	Google	Restricted		SOUNDEX_W5_000024861			
1079	Google	Restricted		SOUNDEX_W5_000024871			
1080	Google	Restricted		SOUNDEX_W5_000024880			
1081	Google	Public	RIAA 2018 Year-End Music Industry Revenue Report	SOUNDEX_W5_000031772			
1082	Google	Restricted	Music Monitor, July 2016	SOUNDEX_W5_000045969			
1083	Google	Restricted	Music Monitor, July 2017	SOUNDEX_W5_000046050			
1084	Google	Restricted	Music Monitor, February 2018	SOUNDEX_W5_000053188			
1085	Google	Restricted		SOUNDEX_W5_000055173			
1086	Google	Restricted		SOUNDEX_W5_000056950			
1087	Google	Restricted		SOUNDEX_W5_000136068		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: This is a document from UMG's own files concerning negotiations with Apple – which was a subject of testimony of UMG witness Aaron Harrison. If Mr. Harrison has knowledge of the negotiations, as he professes to in his written statement, then knowledge of this exhibit can be established through his examination at trial.</p> <p>FRE 802: This UMG email chain is not hearsay because it is a statement of an opposing party (UMG). FRE 801(d)(2).</p>
1088	Google		RESERVED				
1089	Google	Restricted	Shapley - Survey	SOUNDEX_W5_000187115		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	<p>FRE 602: This is a document produced by SoundExchange in this litigation, SoundExchange cannot dispute the accuracy/authenticity of its own files produced here. Moreover, personal knowledge/foundation can be established through examination of SoundExchange's witness(es) at trial.</p>

1090	Google	Restricted		SOUNDEX_W5_000187876			
1091	Google		RESERVED				
1092	Google		RESERVED				
1093	Google	Restricted	RESERVED				
1094	Google	Public	RIAA U.S. Sales Database, available at https://www.riaa.com/u-s-sales-database/				
1095	Google		RESERVED				
1096	Google	Restricted					
1097	Google	Restricted					
1098	Google	Restricted					
1099	Google	Restricted		GOOG-WEBV-EXPT 00000012		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Authenticity (FRE 901)	
1100	Google	Restricted	WDT T Jay Fowler				
1101	Google	Restricted	WDT Waleed Diab				
1102	Google	Restricted	WDT Arpan Agrawal				
1103	Google	Restricted	Corrected WDT Steven Peterson				
1104	Google	Restricted	WRT Dan Pifer				
1105	Google	Restricted	Correct WRT Steven Peterson				
1106	Google	Restricted	SoundExchange/Google Audit, Summary of Findings, For the Audit Period of January 1, 2014 through December 31, 2016	GOOG-WEBV-00051870	Google Reb. Ex. 001	Incomplete (FRE 106); Hearsay (FRE 802)	The Services will address all objections to their reserve exhibits at trial.
2000	NAB	Public	iHeartMedia, Excerpts from 2017-2019 iHeart Surveys		NAB Ex. 6	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802 The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). National surveys about on-air personalities and music discovery on radio are conducted in the regular course of iHeart's business.
2001	NAB	Restricted	The Nielsen Company, <i>The Nielsen Total Audience Report</i> (Q1 2019)	NAB00004298		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. This a reputable third-party industry report that is regularly relied on by people within the music industry. These types of reputable industry reports have been admitted without issue in prior CRB proceedings. See Order Striking Certain Witness Testimony and Refusing Witness as Expert, Docket No. 2006-3 CRB DPRA (<i>Phonorecords I</i>), at 4 (Feb. 14, 2008); see also <i>Web IV</i> Hearing Tr. at 5171-74 (where the CRJs admitted RIAA data, Infinite Dial data, and internal iHeart survey data).
2002	NAB	Restricted	iHeartMedia, Influencer Marketing DJs -- The Original Influencers (Aug. 2017)		NAB Ex. 8	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.

2003	NAB	Restricted	Nielsen, <i>Music 360 2017 U.S. Report</i> (Sept. 2017)		NAB Ex. 9	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: This is a reputable third-party industry report that is regularly relied on by people within the music industry. These types of reputable industry reports have been admitted without issue in prior CRB proceedings. See <i>Order Striking Certain Witness Testimony and Refusing Witness as Expert</i>, Docket No. 2006-3 CRB DPRA (<i>Phonorecords I</i>), at 4 (Feb. 14, 2008); see also <i>Web IV</i> Hearing Tr. at 5171-74 (where the CRJs admitted RIAA data, Infinite Dial data, and internal iHeart survey data). It is within the Judges' discretion to admit documents – even hearsay – when they deem it “appropriate.” 37 CFR § 351.10(a).</p>
2004	NAB	Restricted	Nielsen, <i>Music 360 2018 U.S. Report</i> (Sept. 2018)		NAB Ex. 10	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: This is a reputable third-party industry report that is regularly relied on by people within the music industry. These types of reputable industry reports have been admitted without issue in prior CRB proceedings. See <i>Order Striking Certain Witness Testimony and Refusing Witness as Expert</i>, Docket No. 2006-3 CRB DPRA (<i>Phonorecords I</i>), at 4 (Feb. 14, 2008); see also <i>Web IV</i> Hearing Tr. at 5171-74 (where the CRJs admitted RIAA data, Infinite Dial data, and internal iHeart survey data). It is within the Judges' discretion to admit documents – even hearsay – when they deem it “appropriate.” 37 CFR § 351.10(a).</p>
2005	NAB	Restricted	Nielsen, <i>Music 360 2019 U.S. Report</i> (Sept. 2019)		NAB Ex. 11	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: This is a reputable third-party industry report that is regularly relied on by people within the music industry. These types of reputable industry reports have been admitted without issue in prior CRB proceedings. See <i>Order Striking Certain Witness Testimony and Refusing Witness as Expert</i>, Docket No. 2006-3 CRB DPRA (<i>Phonorecords I</i>), at 4 (Feb. 14, 2008); see also <i>Web IV</i> Hearing Tr. at 5171-74 (where the CRJs admitted RIAA data, Infinite Dial data, and internal iHeart survey data). It is within the Judges' discretion to admit documents – even hearsay – when they deem it “appropriate.” 37 CFR § 351.10(a).</p>
2006	NAB	Restricted			NAB Ex. 12	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6).</p>
2007	NAB	Restricted			NAB Ex. 15	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). To the extent the email chain includes statements from non-iHeart employees, they fall under a hearsay exception because they are being offered to show the writer's then-existing state of mind or motive in working with iHeart's programming department. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.</p>

2008	NAB	Restricted			NAB Ex. 17	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802 The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). To the extent the email chain includes statements from non-iHeart employees, they fall under a hearsay exception because they are being offered to show the writer's then-existing state of mind or motive in working with iHeart's programming department. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.</p>
2009	NAB	Public	DAIP Program Terms		NAB Ex. 27	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2010	NAB	Restricted	iHeartMedia, Album Release Analysis (June 2019)		NAB Ex. 31	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
2011	NAB	Restricted			NAB Ex. 32	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802 The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). To the extent the email chain includes statements from non-iHeart employees, they fall under a hearsay exception because they are being offered to show the writer's then-existing state of mind or motive in working with iHeart's programming department. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.</p>
2012	NAB	Restricted			NAB Ex. 34	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6).</p>
2013	NAB	Restricted	2012 Big Machine Agreement and 2017 First Amendment and Second Amendment	NAB00000019	NAB Ex. 40		
2014	NAB	Restricted	2012 Glassnote Record Agreement and 2017 First Amendment	NAB00000048	NAB Ex. 41		
2015	NAB	Restricted	2014 Average Joe's Agreement and 2019 First Amendment	NAB000000818	NAB Ex. 42		
2016	NAB	Restricted	2013 Black River Entertainment Agreement and 2017 First Amendment	NAB000000462	NAB Ex. 43		
2017	NAB	Restricted	2014 Broken Bow Records Agreement	NAB000000723	NAB Ex. 44		
2018	NAB	Restricted	2012 DashGo Agreement and 2017 First Amendment	NAB000000098	NAB Ex. 45		
2019	NAB	Restricted	2013 Dualtone Agreement and 2018 Second Amendment	NAB000000194	NAB Ex. 46		
2020	NAB	Restricted	2013 Entertainment One Agreement and 2018 First and Second Amendments	NAB000000221	NAB Ex. 47		
2021	NAB	Restricted	2013 Innovative Leisure Agreement	NAB000000344	NAB Ex. 48		
2022	NAB	Restricted	2012 Naxos Agreement and 2017 First Amendment	NAB000000071	NAB Ex. 49		
2023	NAB	Restricted	2012 RPM Entertainment Agreement and 2017 First Amendment	NAB000000120	NAB Ex. 50		
2024	NAB	Restricted	2014 S-Curve Agreement	NAB000000791	NAB Ex. 51		
2025	NAB	Restricted	2013 Suburban Noize Agreement and 2018 Second and Third Amendments	NAB000000369	NAB Ex. 52		
2026	NAB	Restricted	2013 Zojak World Wide Agreement and 2018 First Amendment	NAB000000323	NAB Ex. 53		
2027	NAB	Restricted	2019 Tommy Boy Music Agreement	NAB000001709	NAB Ex. 54		
2028	NAB	Restricted		NAB000000867	NAB Ex. 55		
2029	NAB	Restricted	2017 ASCAP-RMLC License Agreement		NAB Ex. 56		

2030	NAB	Restricted	Exhibit B to Amended Testimony of Fischel & Lichtman from Web IV		NAB Ex. 57	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Incomplete (FRE 106); Other (Failure to designate)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 106: The exhibit is not incomplete. Introducing it in this form will not be misleading or take matters out of context. See Courtroom Handbook Fed. Evid., Rule 106 Remainder of or Related Writings or Recorded Statements (2020 ed.) (noting that the rule "is based on two considerations the danger that material may be made misleading by being taken out of context, and the inadequacy of a delayed repair.").</p> <p>Other The exhibit is not being offered for the truth or accuracy of the analysis at all; it is offered for the fact of its conclusion, which is not subject to dispute. The use of Exhibit 2030 for this limited purpose does not require formal designation of Fischel and Lichtman's entire Web IV testimony—the exhibit is offered for an entirely different purpose than one that would call for designated testimony.</p>
2031	NAB	Restricted			NAB Ex. 58	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Best Evidence (FRE 1002)	<p>FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802 The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The iHeart emails were created in the regular course of business, of which license negotiations are a key component. To the extent the email chain includes statements from ASCAP, they fall under a hearsay exception because they are being offered to show ASCAP's then-existing state of mind or motive in negotiating with iHeart. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801. The attached ASCAP proposal is not hearsay because the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE 801(a)-(c) (2020 ed.).</p> <p>FRE 1002: Rule 1002 is inapplicable. This is the original communication received by Tres Williams from ASCAP providing the initial long-form custom radio proposal.</p>
2032	NAB	Restricted			NAB Ex. 59	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Unduly Prejudicial (FRE 403)	<p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: This exhibit is not hearsay because the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).</p> <p>FRE 403 The evidence is not unduly prejudicial. Whatever minimal potential unfair prejudice may arise does not substantially outweigh the probative value of the evidence that in negotiations with the RMLC, BMI also carved out custom radio from the terrestrial radio license agreement.</p>
2033	NAB	Public	Wheeler Morning Show Hosts Summary		NAB Ex. 69	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony.
2034	NAB	Public	Sample Public Service Announcement Revenue Reports from Wheeler stations		NAB Ex. 70	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony.
2035	NAB	Restricted	Sample Subway Insertion Order from WXLK-FM		NAB Ex. 71	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony.

2036	NAB	Restricted			NAB Ex. 77	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Incomplete (FRE 106)	<p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802 BMG's statements fall under a hearsay exception because they are being offered to show BMG's then-existing state of mind or motive in renewing the direct deal with iHeart. See FRE 803(3); Williams WDT ¶ 22. Alternatively, they are admissible to show the effect on the listener. See FRE 801. This email also is not hearsay because it is a counterproposal to the direct license agreement amendment. The terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).</p> <p>FRE 106 NAB reproduced a complete version of this exhibit that includes both the cover email and attachment.</p>
2037	NAB	Public	RIAA 2015 Year-End Industry Shipment and Revenue Statistics		NAB Ex. 80		
2038	NAB	Restricted	Universal Music Group U.S. Recorded Music, 2012-2019 YTD Revenue Sources	SOUNDEX_W5_000046466	NAB Ex. 81		
2039	NAB	Restricted		SOUNDEX_W5_000186861	NAB Ex. 83	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony.</p> <p>FRE 802 The Bain study is not hearsay because it is a statement of an opposing party's agent; Aaron Harrison testified that UMG commissioned the Bain study. FRE 801(d)(2); Harrison Dep. at 152 15-25.</p>
2040	NAB	Restricted	MusicWatch Annual Music Study 2018 Report to RIAA April 2019	SOUNDEX_W5_000053019	NAB Ex. 85		
2041	NAB	Restricted	MusicWatch Mid-Year Review with RIAA Sept. 2019	SOUNDEX_W5_000187914	NAB Ex. 86		
2042	NAB	Restricted	Pandora Content Cost Overview Nov. 8, 2018	PANWEBV_00005062	NAB Ex. 88		
2043	NAB	Restricted	MusicWatch Annual Music Study 2016 Final Report to RIAA Research Committee	SOUNDEX_W5_000044967	NAB Ex. 92		
2044	NAB	Restricted	MusicWatch Annual Music Study 2017 Final Report to RIAA Research Committee April 2018	SOUNDEX_W5_000045545	NAB Ex. 93		
2045	NAB	Restricted	Amazon Music Unlimited On-Platform Behavior	SOUNDEX_W5_000052770	NAB Ex. 94		
2046	NAB	Restricted	Apple Music In-Platform Behavior Study	SOUNDEX_W5_000052820	NAB Ex. 96		
2047	NAB	Restricted		NAB00003944	NAB Ex. 97	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6).</p>
2048	NAB	Restricted		NAB00003948	NAB Ex. 98	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). To the extent the email chain contains statements from BMG, they fall under a hearsay exception because they are being offered to show BMG's then-existing state of mind or motive in renewing the direct deal with iHeart. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.</p>

2049	NAB	Restricted		NAB00003937 NAB00003940		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6).
2050	NAB	Restricted	6.6.16 Letter from Warner to Spotify	SOUNDEX_WS_000055164	NAB Ex. 103	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2051	NAB	Restricted		SOUNDEX_WS_000108335	NAB Ex. 104	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2052	NAB	Restricted	Warner's "US Recorded Music P&L"	SOUNDEX_WS_000070877	NAB Ex. 108		
2053	NAB	Restricted	Universal's "US Market Margin P&L"	SOUNDEX_WS_000046469	NAB Ex. 109		
2054	NAB	Restricted	Sony's "Total US P&Ls"	SOUNDEX_WS_000021930	NAB Ex. 110		
2055	NAB	Restricted	Luke Combs, This One's for You Marketing Plan	SOUNDEX_WS_000186424	NAB Ex. 122		
2056	NAB	Restricted	Supplemental and Corrected Responses and Objections to First Set of Interrogatories to SoundExchange, Inc. et al.		NAB Ex. 146		
2057	NAB	Restricted	Supplemented Responses and Objections to Rebuttal Phase Interrogatories to SoundExchange, Inc. et al.				
2058	NAB		RESERVED				
2059	NAB		RESERVED				
2060	NAB		RESERVED				
2061	NAB	Restricted		SOUNDEX_WS_000052503	SoundExch ange Ex. 190		
2062	NAB	Restricted		SOUNDEX_WS_000010955	SoundExch ange Ex. 164		
2063	NAB		RESERVED				
2064	NAB	Restricted		SOUNDEX_WS_000013171	SoundExch ange Ex. 135		
2065	NAB		RESERVED				
2066	NAB	Restricted		SOUNDEX_WS_000024088			
2067	NAB		RESERVED				
2068	NAB	Restricted		SOUNDEX_WS_000136241		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony. FRE 802 This UMG email chain is not hearsay because it is a statement of an opposing party (UMG). FRE 801(d)(2).
2069	NAB	Restricted		SOUNDEX_WS_000136234		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony. FRE 802: This UMG email chain is not hearsay because it is a statement of an opposing party (UMG). FRE 801(d)(2).
2070	NAB	Restricted	Declaration of Caroline Beasley		SoundExch ange Ex. 235		
2071	NAB	Restricted	Declaration of Pat Cunnane		SoundExch ange Ex. 409		
2072	NAB	Restricted	The Infinite Dial 2019	SOUNDEX_WS_000195231	SoundExch ange Ex. 197		

2073	NAB	Public	"Best Music Streaming Services" https://www.consumerreports.org/streaming-media/best-music-streaming-service-for-you/			Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony. FRE 802: The exhibit is a printed copy of a <i>Consumer Reports</i> article and is therefore self-authenticating pursuant to Federal Rule of Evidence 902(6).
2074	NAB	Restricted	R&D. Today's Top Hits Deep Dive		SoundExchange Ex. 73		
2075	NAB	Restricted	Future Hndrxx, THE WIZRD Album Launch Plan	SOUNDEX_W5_000186314			
2076	NAB	Restricted	GDB Digital Strategy Update March 2, 2018	SOUNDEX_W5_000056950			
2077	NAB	Restricted	Kane Brown Deep Dive	SOUNDEX_W5_000186340			
2078	NAB	Restricted	IMM Presentation for Warner Records US Streaming & Radio	SOUNDEX_W5_000200856			
2079	NAB	Restricted	"In-Car Music Listening, Current & Future Behaviors"	SOUNDEX_W5_000198361			
2080	NAB	Restricted	Amazon Music Consumer Music Experience	SOUNDEX_W5_000052737			
2081	NAB	Restricted	2013 Agreement between Clear Channel Communications (iHeart) and Another Venture Ltd.	NAB00000515			
2082	NAB	Restricted	First Amendment to Agreement between iHeart and BMG/S-Curve Records	NAB00007109			
2083	NAB	Restricted	iHeart Media CHR Summit	NAB00002613			
2084	NAB	Restricted	The Orchard Artist Services Radio Promotion	SOUNDEX_W5_000199636		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2085	NAB	Restricted	Dua Lipa Marketing Timeline	SOUNDEX_W5_000199662		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony.
2086	NAB	Restricted	September 2015 emails between T. Williams and B. Leach and R. Sult	NAB00003880		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony. FRE 802 iHeart's statement falls under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). iNGrooves's statement(s) falls under a hearsay exception because they are being offered to show iNGrooves's then-existing state of mind or motive in negotiating a direct deal with iHeart. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.
2087	NAB	Restricted		SOUNDEX_W5_000147132 SOUNDEX_W5_000147134 SOUNDEX_W5_000147231 SOUNDEX_W5_000147240 SOUNDEX_W5_000147242 SOUNDEX_W5_000147250		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
2088	NAB	Restricted	Plan Developer National Marketplace Executive Summary for iHeartMedia (June 2019)	NAB00002858	SoundExchange Ex. 385		
2089	NAB	Restricted	Tech Survey 2019 Jacobs Media Radio's Survival Kit	PANWEBV_00006670	SoundExchange Ex. 397		

2090	NAB	Restricted	Effective Per Play Rates Non-Renewal Deals	NAB-LEONARD-00002644		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Other (Impermissible sur-rebuttal); Incomplete (FRE 106); Unduly Prejudicial (FRE 403)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802 This document is admissible pursuant to 37 CFR 351.10(a).</p> <p>Other This is not impermissible sur-rebuttal. Exhibit 2090 summarizes the effective per-play rates of iHeart's non-renewed direct deals with independent record labels from September 2013 to May 2019. It is not a brand new analysis or model being offered by Dr. Leonard in this proceeding. To the contrary, Exhibit 2090 does not change his original benchmarking analysis or alter his opinions regarding NAB's rate proposal. The exhibit simply summarizes the effective per play rates of iHeart's direct deals with independent labels that were not considered good benchmarks by Dr. Leonard.</p> <p>FRE 106 The exhibit is not incomplete. This is a standalone document that was created by Dr. Leonard in the course of this proceeding. It is not a part of a larger set of documents or family. The document provides the source data for the calculations, including indie royalty statements, tableau data, and the relevant non-renewal agreements. All of these documents were produced during the course of direct discovery. Additionally, Dr. Leonard provided the backup calculations for this document during rebuttal discovery.</p> <p>FRE 403 The evidence is not unduly prejudicial. SoundExchange was given a fair chance to replicate and critique the calculations underlying Exhibit 2090 during</p>
2091	NAB	Restricted		NAB00007033 NAB00007035		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802 The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The attached deck is research iHeart conducted in the regular course of its contract negotiations with Sony that it was modifying for WMG.</p>
2092	NAB	Restricted		NAB00007064 NAB00007073		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802 The iHeart statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The attached deck also falls under the business record exception because it is research iHeart conducted and created in the regular course of its negotiations with WMG. <i>Id.</i> The WMG statements in the email chain are statements of an opposing party. FRE 801(d)(2).</p>
2093	NAB	Restricted		NAB00005551 NAB00005553		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: The iHeart statement(s) and attached deck fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The attached deck is research iHeart conducted and created in the regular course of its negotiations with UMG. The deck also includes issues raised by UMG during license negotiations and iHeart's proposed resolution that are not hearsay because the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.). The UMG statements in the email chain are statements of an opposing party. FRE 801(d)(2).</p>

2094	NAB	Restricted	Functionality Usage Spreadsheet	NAB00009086		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2095	NAB	Restricted	Active Subscription Counts	NAB00007096		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2096	NAB	Restricted	Simulcast vs Custom Radio Royalties Paid by iHeart	NAB00006849		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2097	NAB	Restricted	iHeartMedia iHR Digital CSAT	NAB00007097		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
2098	NAB	Restricted	Stream Fill October 2019 Example	NAB00002611		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Authenticity (FRE 901)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602/901: NAB can and will establish personal knowledge and authenticity through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802 iHeart's statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6).
2099	NAB	Restricted		NAB00003892		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802 Big Machine's statement(s) fall under a hearsay exception because it is being offered to show the label's then-existing state of mind, motive, or intent. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.
2100	NAB	Restricted		NAB00003897		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802: iHeart's statements fall under a hearsay exception for records of regularly conducted activity/business records; Tres Williams wrote this email in the regular course of negotiating a renewal on behalf of iHeart. FRE 803(6). Big Machine's statement(s) fall under a hearsay exception because they are being offered to show Big Machine's then-existing state of mind or motive in negotiating a direct deal with iHeart. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.
2101	NAB	Restricted		NAB00003921		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony. FRE 802: iHeart's statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). Big Machine's statement(s) fall under a hearsay exception because they are being offered to show the label's then-existing state of mind or motive in negotiating a renewal of the direct deal with iHeart. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.
2102	NAB	Restricted	Gen Z Project	NAB00002589		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2103	NAB	Restricted	iHeart Research Deck Q3 2019	NAB00002660		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2104	NAB	Restricted	Power of Talk Personality (Updated)	NAB00002959		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.

2105	NAB	Restricted	Terrestrial Radio Marketing 2016-2019 (forecast)	SOUNDEX_W5_000205766			
2106	NAB	Restricted	Radio Spend Year to Date (2016-2019)	SOUNDEX_W5_NATIVE_PROD_003358			
2107	NAB	Restricted	UMG 2016 to 2019 US Marketing Spend Terrestrial Radio	SOUNDEX_W5_000205756			
2108	NAB	Restricted		SOUNDEX_W5_000093910 SOUNDEX_W5_000093911 SOUNDEX_W5_000093921 SOUNDEX_W5_000093923 SOUNDEX_W5_000093991 SOUNDEX_W5_000093994 SOUNDEX_W5_000093996 SOUNDEX_W5_000094006	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.	
2109	NAB	Restricted		SOUNDEX_W5_000206200	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802. The statement(s) fall under a hearsay exception because they are being offered to show Big Machine's then-existing state of mind or motive. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.	
2110	NAB		RESERVED				
2111	NAB	Public	SoundExchange Annual Report for 2018 Provided Pursuant to 37 C.F.R. 370.5		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.	
2112	NAB	Restricted		NAB00005687	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802: iHeart's statements fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). UMG's statements are not hearsay because they are statements of an opposing party (UMG). FRE 801(d)(2). In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).	
2113	NAB	Public		11/24/2015, The Next Satellite Radio Rate Cause ("SDARS III") is Coming - What You Need to Know, https://www.soundexchange.com/wp-content/uploads/2015/11/SoundByte-November-2015.pdf			
2114	NAB	Restricted		NAB00007126	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602. NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802: iHeart's statement(s), through its agent Gary Greenstein, fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The auditor's statement(s) are not hearsay because they are not being offered for their truth, but rather to show their effect on the listener, iHeart. FRE 801.	
2115	NAB	Restricted		NAB00007129	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony. FRE 802. iHeart's statement(s), through its agent Gary Greenstein, fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The auditor's statement(s) are not offered for the truth of the matter asserted, but rather for their effect on iHeart.	

2116	NAB	Restricted		NAB00007278		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: The auditor's statement(s) are not offered for the truth of the matter asserted, but rather for their effect on iHeart.</p>
2117	NAB	Restricted		NAB00007304		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: iHeart's statement(s), through its agent Gary Greenstein, fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The auditor's statement(s) are not hearsay because they are not being offered for their truth, but rather to show their effect on the listener, iHeart. FRE 801.</p>
2118	NAB	Restricted		NAB00007795		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: iHeart's statement(s), through its agent Gary Greenstein, fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). The auditor's statement(s) are not hearsay because they are not being offered for their truth, but rather to show their effect on the listener, iHeart. FRE 801.</p>
2119	NAB	Restricted		NAB00007322		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: iHeart's statement(s), through its agent Gary Greenstein, fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6).</p>
2120	NAB	Restricted		SOUNDEX_W5_000105975		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	

2121	NAB	Restricted		OUNDEX_W5_000201692		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: iHeart's statements fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). Concord's emails fall under a hearsay exception because they are being offered to show Concord's then-existing state of mind or motive in negotiating a direct deal with iHeart. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801. In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)–(c) (2020 ed.).</p>
2122	NAB	Restricted	Spotify User Behavior Study	SOUNDEX_W5_000053352	NAB Ex. 95		
2123	NAB		RESERVED				
2124	NAB	Restricted		SOUNDEX_W5_000101277			
2125	NAB	Restricted		SOUNDEX_W5_000088090 SOUNDEX_W5_000088091		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
2126	NAB	Restricted		SOUNDEX_W5_000101375		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
2127	NAB	Restricted		SOUNDEX_W5_000090418		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
2128	NAB	Restricted		SOUNDEX_W5_000058256			
2129	NAB		RESERVED				

2130	NAB		RESERVED				
2131	NAB	Restricted		SOUNDEX_WS_000164588			
2132	NAB		RESERVED				
2133	NAB	Restricted		SOUNDEX_WS_000138121 SOUNDEX_WS_000138123			
2134	NAB	Restricted		SOUNDEX_WS_000150492		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions. FRE 802: This document is comprised of statements by label personnel at Sony that are party admissions. See FRE 801(d)(2)). In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).
2135	NAB	Restricted		SOUNDEX_WS_000150395 SOUNDEX_WS_000150401		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions. FRE 802: This document is comprised of statements by label personnel at Sony that are party admissions. See FRE 801(d)(2)). In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).
2136	NAB	Public	"Here's Exactly How Many Shares the Major Labels and Merlin Bought in Spotify - And What Those States Are Worth Now" by Tim Ingham, May 14, 2018			Lack of Personal Knowledge/Lack of Foundation (FRE 602)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. The Services request that the Judges take judicial notice of the major record companies' equity stakes in Spotify and the price at which they sold a percentage of their shares (Fed. R. Evid. 201), which are sourced from a reputable and accurate industry publication and highly relevant to the Judges' understanding of the negotiation dynamics between the record companies and Spotify.
2137	NAB	Restricted		OUNDEX_WS_000155979 OUNDEX_WS_000155982 OUNDEX_WS_000155984	SoundExchange Ex. 240		
2138	NAB	Restricted		OUNDEX_WS_000152537 OUNDEX_WS_000152538		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions. FRE 802: This document is comprised of statements by label personnel at Sony that are party admissions. See FRE 801(d)(2)). In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).
2139	NAB	Restricted		OUNDEX_WS_000079501		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions. FRE 802: This document is comprised of statements by label personnel at Sony that are party admissions. See FRE 801(d)(2)). In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).

2140	NAB	Restricted		SOUNDEX_W5_000148191 SOUNDEX_W5_000148192		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions. FRE 802: This document is comprised of statements by label personnel at Sony that are party admissions. See FRE 801(d)(2)). In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).
2141	NAB	Restricted		SOUNDEX_W5_000151086		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions.
2142	NAB	Restricted		SOUNDEX_W5_000152521 SOUNDEX_W5_000152522		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions. FRE 802: The email chain and attached deck contain proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.). Spotify's statements also fall under a hearsay exception because they are being offered to show Spotify's then-existing state of mind, motive, or intent. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.
2143	NAB	Restricted		SOUNDEX_W5_000152329		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony or depositions. FRE 802: This document is comprised of statements by label personnel at Sony that are party admissions. See FRE 801(d)(2)). In addition, the email chain contains proposed contract terms and counterproposals; the terms of a contract, or words that constitute the offer or acceptance, are a verbal act to which the law attaches duties and liabilities, and therefore is not hearsay. See, e.g., Federal Practice & Procedure (Evidence) § 6722; McCormick on Evidence § 249; Courtroom Handbook Fed. Evid. FRE R 801(a)-(c) (2020 ed.).
2144	NAB		RESERVED				
2145	NAB	Restricted		SOUNDEX_W5_000022051			
2146	NAB	Public	2016-2018 SESAC Radio Broadcasting Performance License	NAB-LEONARD-00000001		Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2147	NAB	Public	2010-2016 BMI Radio Station Blanket/Per Program License Agreement			Lack of Personal Knowledge/Lack of Foundation (FRE 602)	FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.
2148	NAB		RESERVED				
2149	NAB	Restricted		NAB00003884		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. FRE 602 NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct or deposition testimony. FRE 802: iHeart's statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). Suburban Noize's statement(s) fall under a hearsay exception because they are being offered to show the label's then-existing state of mind, motive, or intent. See FRE 803(3). Alternatively, they are admissible to show the effect on the listener. See FRE 801.
2150	NAB	Restricted	Corrected WDT of Gregory Leonard				
2151	NAB	Public	WDT of John Hauser				
2152	NAB	Restricted	WDT of Robert Pittman				
2153	NAB	Restricted	WDT of Tom Poleman				
2154	NAB	Restricted	WDT of Tres Williams				
2155	NAB	Restricted	WDT of Steven W. Newberry				
2156	NAB	Restricted	WDT of Andrew Gille				
2157	NAB	Restricted	WDT of Leonard Wheeler				
2158	NAB	Restricted	WDT of Steven W. Newberry (Web IV)				

2159	NAB	Restricted	WDT of Steven Cutler (Web IV)				
2160	NAB	Restricted	Corrected WRT of Gregory Leonard				
2161	NAB	Public	WRT of John Hauser				
2162	NAB	Restricted	WRT of Joseph Ritz				
2163	NAB	Restricted		NAB00003940		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission.</p> <p>FRE 602: NAB can and will establish personal knowledge through witness(es) at trial, if it has not already done so through written direct testimony.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6).</p>
2164	NAB	Public	Phono III Appeal Brief			Hearsay (FRE 802); Lack of personal knowledge/ foundation (FRE 602)	The Services will address all objections to their reserve exhibits at trial.
2165	NAB	Restricted	Dec. 21, 2017 Pandora Board Meeting	PANWEBV_00012254		Hearsay (FRE 802); Lack of personal knowledge/ foundation (FRE 602)	The Services will address all objections to their reserve exhibits at trial.
2166	NAB	Public	Form 10-K Fiscal Year Ended September 30, 2018 (Warner)				
2167	NAB	Public	Form 10-K Fiscal Year Ended September 30, 2019 (Warner)				
2168	NAB	Restricted	SoundExchange Response to the Services' Rebuttal Request for Production Applicable to All Experts No. 3	SOUNDEX_W5_000199685			
2169	NAB	Restricted		NAB00009111		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	The Services will address all objections to their reserve exhibits at trial.
2170	NAB	Public	Eric J. Savitz, "Google and Facebook Can't Save the Advertising Industry This Time," Barron's, April 3, 2020, https://www.barrons.com/articles/advertising-is-getting-crushed-by-covid-19-why-facebook-google-cant-save-the-industry-51585955751 .			Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	The Services will address all objections to their reserve exhibits at trial.
2171	NAB	Public	Tiffany Hsu, "A Seismic Shock' Jittery Companies Pull Back on Ads During Pandemic," The New York Times, April 3, 2020, https://www.nytimes.com/2020/04/03/business/media/ads-commercials-coronavirus.html			Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	The Services will address all objections to their reserve exhibits at trial.
2172	NAB	Public	BMI-17 License & Supplemental Letter, https://dehayf5mhw1h7.cloudfront.net/wp-content/uploads/sites/893/2017/09/22194345/BMI-2017-Station-License.pdf & https://dehayf5mhw1h7.cloudfront.net/wp-content/uploads/sites/893/2017/09/22194345/BMI-2017-Side-Letter.pdf			Lack of Personal Knowledge/Lack of Foundation (FRE 602)	The Services will address all objections to their reserve exhibits at trial.
2173	NAB	Public	RIAA Comments in re Music Licensing Study			Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	The Services will address all objections to their reserve exhibits at trial.
2174	NAB	Restricted	Nielsen, Audio Client COVID-19 Update (March 26, 2020)			Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	The Services will address all objections to their reserve exhibits at trial.
3000	NRBNMLC	Public	SoundExchange, Inc. and College Broadcasters, Inc. Joint Motion to Adopt Partial Settlement, Docket No. 2014-CRB-0001-WR (2016-2020) (Oct. 7, 2014)		NRBNMLC Ex. 1		
3001	NRBNMLC	Public	Family Radio Network Program Guide		NRBNMLC Ex. 2		

3002	NRBNMLC	Public	Request for Air Play, Jethro Bledsoe (Mar. 6, 2019)		NRBNMLC Ex. 3	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: Ms. Jennifer Burkhiser, Family Stations Inc.'s ("Family Radio's") Director of Broadcast Regulatory Compliance and Issues Programming, discusses this exhibit and establishes personal knowledge/foundation to support its admission in her written direct testimony. To the extent still necessary, the NRBNMLC can and will establish personal knowledge/foundation through witness(es) at trial.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). Ms. Burkhiser is prepared to testify that it is a regularly conducted business activity of Family Radio to provide radio programming to its listeners, and that, as a regular business practice in the course of her job responsibilities, she logs and maintains written communications from artists providing recordings to Family Radio. To the extent that SoundExchange continues to dispute the status of this exhibit as a business record, it reflects the artist's then-existing state of mind and is admissible under FRE 803(3). See also FRE 807. To the extent that SoundExchange continues to object based on alleged hearsay grounds, it is offered not for the truth of the matter asserted but for the fact that the artist communication was made. FRE 801.</p>
3003	NRBNMLC	Public	Request for Air Play, Tegdra Samuel		NRBNMLC Ex. 4	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	<p>FRE 602: Ms. Jennifer Burkhiser, Family Stations Inc.'s ("Family Radio's") Director of Broadcast Regulatory Compliance and Issues Programming, discusses this exhibit and establishes personal knowledge/foundation to support its admission in her written direct testimony. To the extent still necessary, the NRBNMLC can and will establish personal knowledge/foundation through witness(es) at trial.</p>
3004	NRBNMLC	Public	Request for Air Play, Danny Petrozza		NRBNMLC Ex. 5	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602: Ms. Jennifer Burkhiser, Family Radio's Director of Broadcast Regulatory Compliance and Issues Programming, discusses this exhibit and establishes personal knowledge/foundation to support its admission in her written direct testimony. To the extent still necessary, the NRBNMLC can and will establish personal knowledge/foundation through witness(es) at trial.</p> <p>FRE 802: The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). Ms. Burkhiser is prepared to testify that it is a regularly conducted business activity of Family Radio to provide radio programming to its listeners, and that, as a regular business practice in the course of her job responsibilities, she logs and maintains written communications from artists providing recordings to Family Radio. To the extent that SoundExchange continues to dispute the status of this exhibit as a business record, it reflects the artist's then-existing state of mind and is admissible under FRE 803(3). See also FRE 807. To the extent that SoundExchange continues to object based on alleged hearsay grounds, it is offered not for the truth of the matter asserted but for the fact that the artist communication was made. FRE 801.</p>
3005	NRBNMLC	Public	Request for Air Play, Joe Dorman (Aug. 28, 2019)		NRBNMLC Ex. 6	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	<p>FRE 602 Ms. Jennifer Burkhiser, Family Radio's Director of Broadcast Regulatory Compliance and Issues Programming, discusses this exhibit and establishes personal knowledge/foundation to support its admission in her written direct testimony. To the extent still necessary, the NRBNMLC can and will establish personal knowledge/foundation through witness(es) at trial.</p> <p>FRE 802 The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). Ms. Burkhiser is prepared to testify that it is a regularly conducted business activity of Family Radio to provide radio programming to its listeners, and that, as a regular business practice in the course of her job responsibilities, she logs and maintains written communications from artists providing recordings to Family Radio. To the extent that SoundExchange continues to dispute the status of this exhibit as a business record, it reflects the artist's then-existing state of mind and is admissible under FRE 803(3). See also FRE 807. To the extent that SoundExchange continues to object based on alleged hearsay grounds, it is offered not for the truth of the matter asserted but for the fact that the artist communication was made. FRE 801.</p>

3006	NRBNMLC	Public	Request for Air Play, Luke Steenkamp (Sept. 20, 2019)		NRBNMLC Ex. 7	Lack of Personal Knowledge/Lack of Foundation [FRE 602]; Hearsay (FRE 802)	<p>FRE 602 Ms. Jennifer Burkhiser, Family Radio's Director of Broadcast Regulatory Compliance and Issues Programming, discusses this exhibit and establishes personal knowledge/foundation to support its admission in her written direct testimony. To the extent still necessary, the NRBNMLC can and will establish personal knowledge/foundation through witness(es) at trial.</p> <p>FRE 802 The statement(s) fall under a hearsay exception for records of regularly conducted activity/business records. FRE 803(6). Ms. Burkhiser is prepared to testify that it is a regularly conducted business activity of Family Radio to provide radio programming to its listeners, and that, as a regular business practice in the course of her job responsibilities, she logs and maintains written communications from artists providing recordings to Family Radio. To the extent that SoundExchange continues to dispute the status of this exhibit as a business record, it reflects the artist's then-existing state of mind and is admissible under FRE 803(3). See also FRE 807. To the extent that SoundExchange continues to object based on alleged hearsay grounds, it is offered not for the truth of the matter asserted but for the fact that the artist communication was made. FRE 801.</p>
3007	NRBNMLC	Public	WFSI-AM – 860 AM – Baltimore, MD Issues /Program List 07/18 – 09/18		NRBNMLC Ex. 8		
3008	NRBNMLC	Public	KFNO – 90.3 FM – Fresno, CA Issues / Program List 01/19 – 03/19		NRBNMLC Ex. 9		
3009	NRBNMLC	Public	Family Radio Statement of Account 2015 East		NRBNMLC Ex. 10		
3010	NRBNMLC	Public	Family Radio Statement of Account 2016 East		NRBNMLC Ex. 11		
3011	NRBNMLC	Public	Family Radio Statement of Account 2017 East		NRBNMLC Ex. 12		
3012	NRBNMLC	Public	Family Radio Statement of Account 2018 East		NRBNMLC Ex. 13		
3013	NRBNMLC	Public	Family Radio Statement of Account 2019 East		NRBNMLC Ex. 14		
3014	NRBNMLC	Public	Family Radio Statement of Account 2019 West		NRBNMLC Ex. 15		
3015	NRBNMLC	Public	Family Radio Today February 2019		NRBNMLC Ex. 16	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
3016	NRBNMLC	Public	Certified copies of the Articles of Incorporation and By-Laws of Family Stations, Inc.		NRBNMLC Ex. 17		
3017	NRBNMLC	Public	Family Radio Today April 2019		NRBNMLC Ex. 18	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
3018	NRBNMLC	Public	Family Radio Today August 2019		NRBNMLC Ex. 19	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
3019	NRBNMLC	Public	Joint Motion of SoundExchange, Inc. and College Broadcasters, Inc. To Adopt Partial Settlement, Docket No. 19-CRB-0005-WR (2021-2025) (Sept. 23, 2019)		NRBNMLC Ex. 20		
3020	NRBNMLC	Public	Joint Motion of SoundExchange, Inc., National Public Radio, Inc., and the Corporation for Public Broadcasting To Adopt Partial Settlement, Docket No. 19-CRB-0005-WR (2021-2025) (Sept. 23, 2019)		NRBNMLC Ex. 21		
3021	NRBNMLC	Public	Joint Motion of SoundExchange, Inc., National Public Radio, Inc., and the Corporation for Public Broadcasting To Adopt Partial Settlement, Docket No. 2014-CRB-0001-WR (2016-2020) (Feb. 23, 2015)		NRBNMLC Ex. 22		
3022	NRBNMLC	Restricted		SOUNDEX_W5_NATIVE_PROD_002588	NRBNMLC Ex. 23		
3023	NRBNMLC	Public	SoundExchange, Inc. and Subsidiaries Consolidated Financial Statements Years Ended December 31, 2018 and 2017	SOUNDEX_W5_000046912-54	NRBNMLC Ex. 24		
3024	NRBNMLC	Restricted		SOUNDEX_W5_000046874-911			

3025	NRBNMLC	Public	SoundExchange 2017 Form 990	SOUNDEX_W5_000047001-47			
3026	NRBNMLC	Public	SoundExchange 2018 Form 990	SOUNDEX_W5_000200786-825			
3027	NRBNMLC	Restricted		SOUNDEX_W5_000047317-25			
3028	NRBNMLC	Restricted		SOUNDEX_W5_000047326-34			
3029	NRBNMLC	Restricted		SOUNDEX_W5_000047335-44			
3030	NRBNMLC	Restricted		SOUNDEX_W5_000047345			
3031	NRBNMLC	Restricted		SOUNDEX_W5_000047346			
3032	NRBNMLC	Restricted		SOUNDEX_W5_000047347			
3033	NRBNMLC	Restricted		SOUNDEX_W5_000070996			
3034	NRBNMLC	Restricted		SOUNDEX_W5_000070997			
3035	NRBNMLC	Restricted		SOUNDEX_W5_000070998			
3036	NRBNMLC	Restricted		SOUNDEX_W5_000070999			
3037	NRBNMLC	Restricted		SOUNDEX_W5_000071000			
3038	NRBNMLC	Restricted		SOUNDEX_W5_NATIVE_PROD_002586			
3039	NRBNMLC	Restricted		SOUNDEX_W5_NATIVE_PROD_002587			
3040	NRBNMLC	Restricted		SOUNDEX_W5_NATIVE_PROD_003344			
3041	NRBNMLC	Restricted		SOUNDEX_W5_NATIVE_PROD_003351			
3042	NRBNMLC	Public	Cumulus Media 10-K for Fiscal Year ending 12/31/2019				
3043	NRBNMLC	Public	ECFA Christian Broadcasting Network (Comparative Financial Statements) (3/31/2017, 2018, 2019)	SOUNDEX_W5_000036389-391			
3044	NRBNMLC	Restricted		SOUNDEX_W5_000190242-47			
3045	NRBNMLC	Restricted		SOUNDEX_W5_000190250-53			
3046	NRBNMLC	Restricted		SOUNDEX_W5_000188855-58			
3047	NRBNMLC	Restricted		SOUNDEX_W5_000188868-70			
3048	NRBNMLC	Restricted		SOUNDEX_W5_000200886-87			
3049	NRBNMLC	Public	Salem Radio at a Glance web page				
3050	NRBNMLC	Public	National Public Radio 2017 Form 990				
3051	NRBNMLC	Public	National Public Radio Audited Financial Statements (Years ending 9/30, 2019 and 2018)				
3052	NRBNMLC	Public	University of Southern California Consolidated Financial Statements (June 30, 2019 and 2018)				
3053	NRBNMLC	Public	Moody Bible Institute of Chicago 2018 Form 990				
3054	NRBNMLC	Public	Trustees of Boston College Form 990 (2017)				
3055	NRBNMLC	Public	Consolidated Financial Statements (June 30, 2019 and 2018) - Columbia University				
3056	NRBNMLC	Public	Oregon Public Broadcasting 2018 Form 990				

3057	NRBNMLC	Public	KUT Radio of The University of Texas at Austin Financial Statements and Independent Auditor's Report, Years Ended Aug 31, 2018 and 2017			
3058	NRBNMLC	Public	Public Broadcasting of Colorado, Inc. dba Colorado Public Radio Financial Statements June 30, 2019 (with comparative totals for 2018)			
3059	NRBNMLC	Restricted		SOUNDEX_WS_191600		
3060	NRBNMLC	Public	Amended WDT of Richard Steinberg			
3061	NRBNMLC	Public	Corrected WDT of Joseph Cordes			
3062	NRBNMLC	Public	WDT of Jennifer Burkhiser			
3063	NRBNMLC	Public	WDT of Joseph Emert (Web IV)			
3064	NRBNMLC	Restricted	Corrected WRT of Richard Steinberg			
3065	NRBNMLC	Public	FY 2017 CPB Form 990			
4000	SXM-PAN	Public	Sirius XM Chanel Lineup	SXM-PAN Dir. Ex. 001	Lack of Personal Knowledge/Lack of Foundation [FRE 602]	Witnesses Jennifer Witz, Sirius XM's President, and Steven Blatter, its Sr. V.P. of Music Programming, both have personal knowledge of Sirius XM's channel offerings and identify the exhibit in their written direct testimony as a listing of Sirius XM's channel offerings, providing sufficient personal knowledge and foundation. See Witz WDT ¶ 23; Blatter WDT ¶ 7.
4001	SXM-PAN	Restricted		SXMWEBV_00005444	SXM-PAN Dir. Ex. 002	
4002	SXM-PAN	Public	Pandora AMP User Guide	SXM-PAN Dir. Ex. 004	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4003	SXM-PAN	Public	Next Big Sound Making Data Useful	SXM-PAN Dir. Ex. 005	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4004	SXM-PAN	Restricted			SXM-PAN Dir. Ex. 006	Lack of Personal Knowledge/Lack of Foundation [FRE 602]; Hearsay (FRE 802) See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. Steve Blatter (a Sirius XM witness) was a recipient of the email, which he identifies and describes in his Written Direct Testimony (¶ 19), providing sufficient personal knowledge and foundation. Additionally, as a business record, the exhibit is an exception to hearsay under FRE 803(6).
4005	SXM-PAN	Public	Emily Yahr, Washington Post, 'Radio tour is not for the weak' Inside the first step to country music stardom	SXM-PAN Dir. Ex. 007	Lack of Personal Knowledge/Lack of Foundation [FRE 602]; Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. This exhibit is not offered for the truth of the matter asserted (that Sirius XM played a role in launching a particular artist's career), but rather as evidence of statements made regarding the promotional effects of Sirius XM. Steve Blatter (a Sirius XM witness) also has personal knowledge of the exhibit and familiarity with the publication, and Sirius XM/Pandora are prepared to lay foundation for the exhibit at trial.
4006	SXM-PAN	Public	Jeremy Burchard, Wide Open Country, How Carly Pearce Went from Teen Dollywood Singer to Budding Country Star	SXM-PAN Dir. Ex. 008	Lack of Personal Knowledge/Lack of Foundation [FRE 602]; Hearsay (FRE 802)	See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. This exhibit is not offered for the truth of the matter asserted (that Sirius XM played a role in launching a particular artist's career), but rather as evidence of statements made regarding the promotional effects of Sirius XM. Steve Blatter (a Sirius XM witness) also has personal knowledge of the exhibit and familiarity with the publication, and Sirius XM/Pandora are prepared to lay foundation for the exhibit at trial.
4007	SXM-PAN	Public	ICE NINE KILLS TO HEADLINE SIRIUSXM OCTANE PRESENTS "THE OCTANE ACCELERATOR TOUR"	SXM-PAN Dir. Ex. 009		
4008	SXM-PAN	Restricted			SXM-PAN Dir. Ex. 010	Lack of Personal Knowledge/Lack of Foundation [FRE 602]; Hearsay (FRE 802) See Services' Response to SoundExchange's Motion to Exclude Services' Exhibits for more fulsome discussion of basis for admission. Steve Blatter (a Sirius XM witness) was a recipient of the email, which he identifies and describes in his Written Direct Testimony (¶ 23), providing sufficient personal knowledge and foundation. Additionally, as a business record, the exhibit is an exception to hearsay under FRE 803(6).
4009	SXM-PAN		RESERVED			
4010	SXM-PAN	Restricted		SXMWEBV_00006409	SXM-PAN Reb. Ex. 001	

4011	SXM-PAN	Restricted		PANWEBV_00005223	SXM-PAN Reb. Ex. 002		
4012	SXM-PAN	Restricted		SXMWEBV_00006410	SXM-PAN Reb. Ex. 003		
4013	SXM-PAN	Restricted		PANWEBV_00004996	SXM-PAN Reb. Ex. 004		
4014	SXM-PAN	Restricted		SOUNDEX_W5_000097618 SOUNDEX_W5_000097619	SXM-PAN Reb. Ex. 005 SXM-PAN Reb. Ex. 006	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4015	SXM-PAN		RESERVED				
4016	SXM-PAN	Restricted		OUNDEX_W5_000162778	SXM-PAN Reb. Ex. 007	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4017	SXM-PAN	Restricted		OUNDEX_W5_000149975	SXM-PAN Reb. Ex. 008	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4018	SXM-PAN	Restricted		OUNDEX_W5_000152271	SXM-PAN Reb. Ex. 009	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4019	SXM-PAN	Restricted		OUNDEX_W5_000167401	SXM-PAN Reb. Ex. 010		
4020	SXM-PAN	Restricted		OUNDEX_W5_000096672	SXM-PAN Reb. Ex. 011	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4021	SXM-PAN	Restricted		OUNDEX_W5_000087744	SXM-PAN Reb. Ex. 012	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4022	SXM-PAN	Restricted		OUNDEX_W5_000087842	SXM-PAN Reb. Ex. 013	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4023	SXM-PAN	Restricted		OUNDEX_W5_000161782 OUNDEX_W5_000161784	SXM-PAN Reb. Ex. 014 SXM-PAN Reb. Ex. 017	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4024	SXM-PAN	Restricted		OUNDEX_W5_000164369	SXM-PAN Reb. Ex. 015		
4025	SXM-PAN	Restricted		OUNDEX_W5_000093274	SXM-PAN Reb. Ex. 016	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.

4026	SXM-PAN	Restricted		SOUNDEX_W5_000160408 SOUNDEX_W5_000160410	SXM-PAN Reb. Ex. 018	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4027	SXM-PAN	Restricted		SOUNDEX_W5_000169137 SOUNDEX_W5_000169141	SXM-PAN Reb. Ex. 019	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4028	SXM-PAN	Restricted		SOUNDEX_W5_000103352	SXM-PAN Reb. Ex. 020	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4029	SXM-PAN		RESERVED				
4030	SXM-PAN		RESERVED				
4031	SXM-PAN	Restricted		SOUNDEX_W5_000015132			
4032	SXM-PAN		RESERVED				
4033	SXM-PAN		RESERVED				
4034	SXM-PAN		RESERVED				
4035	SXM-PAN	Restricted		SOUNDEX_W5_000017684			
4036	SXM-PAN		RESERVED				
4037	SXM-PAN		RESERVED				
4038	SXM-PAN		RESERVED				
4039	SXM-PAN	Restricted		SOUNDEX_W5_000024118			
4040	SXM-PAN			SOUNDEX_W5_000011145			
4041	SXM-PAN			XMWEBV_00136470			
4042	SXM-PAN		RESERVED				
4043	SXM-PAN	Restricted		SXMWEBV_00136472			
4044	SXM-PAN			SOUNDEX_W5_000016125			
4045	SXM-PAN	Restricted		SOUNDEX_W5_000098804		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4046	SXM-PAN		RESERVED				
4047	SXM-PAN	Restricted		SOUNDEX_W5_000087448		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	

4048	SXM-PAN	Restricted		SOUNDEX_W5_000087562 SOUNDEX_W5_000087563		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4049	SXM-PAN	Restricted		SOUNDEX_W5_000088090 SOUNDEX_W5_000088091		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4050	SXM-PAN	Restricted		SOUNDEX_W5_000169208 SOUNDEX_W5_000169209			
4051	SXM-PAN	Restricted		SOUNDEX_W5_000163806 SOUNDEX_W5_000163807			
4052	SXM-PAN	Restricted		SOUNDEX_W5_000162805 SOUNDEX_W5_000162806			
4053	SXM-PAN		RESERVED				
4054	SXM-PAN	Restricted		SOUNDEX_W5_000163038		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4055	SXM-PAN	Restricted					
4056	SXM-PAN	Restricted				Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Unduly Prejudicial (FRE 403)	
4057	SXM-PAN	Restricted		SXMWEBV_00004728		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4058	SXM-PAN	Restricted		SXMWEBV_00005550		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4059	SXM-PAN	Public	Merger Proxy & Prospectus	PANWEBV_00004630			
4060	SXM-PAN	Restricted		PANWEBV_00004857			
4061	SXM-PAN	Restricted		PANWEBV_00004858		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4062	SXM-PAN	Restricted		PANWEBV_00004860		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	

4063	SXM-PAN	Restricted		PANWEBV_00008663		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4064	SXM-PAN	Restricted		SXMWEBV_00145660		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4065	SXM-PAN	Restricted		SXMWEBV_00146127		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4066	SXM-PAN	Restricted		SXMWEBV_00004344		Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
4067	SXM-PAN		RESERVED				
4068	SXM-PAN	Restricted		SXMWEBV_00005582			
4069	SXM-PAN	Restricted					
4070	SXM-PAN	Restricted		SOUNDEX_WS_000159166 SOUNDEX_WS_000159205		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4071	SXM-PAN	Restricted	RESERVED				
4072	SXM-PAN	Restricted	RESERVED				
4073	SXM-PAN	Restricted		SOUNDEX_WS_000152667 SOUNDEX_WS_000152668 SOUNDEX_WS_000152669		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4074	SXM-PAN		RESERVED				
4075	SXM-PAN	Restricted		SOUNDEX_WS_000152537 SOUNDEX_WS_000152538		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4076	SXM-PAN	Restricted	RESERVED				
4077	SXM-PAN	Restricted		SOUNDEX_WS_000087665		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4078	SXM-PAN	Restricted		SOUNDEX_WS_000103549		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Unduly Prejudicial (FRE 403)	
4079	SXM-PAN	Restricted		SOUNDEX_WS_000119982		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	

4080	SXM-PAN	Restricted		SOUNDEX_W5_000103446		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4081	SXM-PAN		RESERVED				
4082	SXM-PAN	Restricted		SOUNDEX_W5_000089310		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4083	SXM-PAN	Restricted		SOUNDEX_W5_000163792 SOUNDEX_W5_000163793		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4084	SXM-PAN	Restricted	RESERVED				
4085	SXM-PAN	Restricted		OUNDEX_W5_000161626		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4086	SXM-PAN	Restricted		OUNDEX_W5_000150277		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4087	SXM-PAN	Restricted	RESERVED				
4088	SXM-PAN	Restricted		SOUNDEX_W5_000160159		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4089	SXM-PAN	Restricted		SOUNDEX_W5_000151049		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	
4090	SXM-PAN		Written Direct Testimony of Christopher Phillips				
4091	SXM-PAN		Corrected Written Direct Testimony of David Reiley				
4092	SXM-PAN		Written Direct Testimony of Jennifer Witz				

4093	SXM-PAN		Written Direct Testimony of Steven Blatter				
4094	SXM-PAN		Second Corrected Written Direct Testimony of Carl Shapiro				
4095	SXM-PAN		Corrected Written Direct Testimony of Dominique Hanssens				
4096	SXM-PAN		RESERVED				
4097	SXM-PAN		Written Direct Testimony of Steven Blatter (SDARS II)				
4098	SXM-PAN		Hearing Testimony of Steven Blatter (SDARS II)				
4099	SXM-PAN		Written Direct Testimony of Steven Blatter (SDARS III)				
4100	SXM-PAN		Hearing Testimony of Steven Blatter (SDARS III)				
4101	SXM-PAN		Written Direct Testimony of Michael Herring (WEB IV)				
4102	SXM-PAN		Amended Written Rebuttal Testimony of Michael Herring (WEB IV)				
4103	SXM-PAN		Hearing Testimony of Michael Herring (Web IV)				
4104	SXM-PAN		Written Direct Testimony of Dr. Stephen McBride (WEB IV)				
4105	SXM-PAN		Hearing Testimony of Dr. Stephen McBride (Web IV)				
4106	SXM-PAN		Written Direct Testimony of Timothy Westergren (Web IV)				
4107	SXM-PAN		Written Rebuttal Testimony of Carl Shapiro				
4108	SXM-PAN		Written Rebuttal Testimony of David Reiley				
4109	SXM-PAN		Written Rebuttal Testimony of Jason Ryan				
4110	SXM-PAN		Written Rebuttal Testimony of Tom Barry				
4111	SXM-PAN	Public	Web IV Determination			Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	The Services will address all objections to their reserve exhibits at trial.
5000	SX	Public	National Bureau of Economic Research Platforms, Promotion, and Product Discovery Evidence from Spotify Playlists	N/A	SoundExchange Ex. 001	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	37 C.F.R. § 351.10 (hearsay may be deemed appropriate); FRE 803(18) learned treatise, periodical; Service witness has personal knowledge and 602 does not apply to expert witness testimony
5001	SX	Public	AICPA Code of Professional Conduct, dated June 2019	N/A	SoundExchange Ex. 002	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402)	Witness has personal knowledge; FRE 201 judicial notice of adjudicative facts; FRE 803(17) commercial publication relied on by persons in the accounting industry.
5002	SX	Public	H.15 Selected Interest Rates, dated Sept. 16, 2019	N/A	SoundExchange Ex. 003		
5003	SX	Public	Triton Digital Description of Methodology for Webcast Metrics* and Webcast Metrics Local, v.3, dated 2019	N/A	SoundExchange Ex. 004	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not being offered for the truth of the matter asserted; witness has personal knowledge
5004	SX	Restricted		N/A	SoundExchange Ex. 005	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402)	Not being offered for its truth; witness has personal knowledge
5005	SX	Restricted		PANWEBV_00004560 - PANWEBV_00004570	SoundExchange Ex. 006		
5006	SX	Public	iHeartMedia, Inc. press release, dated Aug. 1, 2019	N/A	SoundExchange Ex. 007	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402)	FRE 801(d)(2) opposing party statement; FRE 803(3) then-existing state of mind; witness has personal knowledge of the statement being made
5007	SX	Public	Bankrate.com Bankrate, Prime rate, federal funds rate, COFI, accessed Sept. 18, 2019	N/A	SoundExchange Ex. 008		
5008	SX	Public	Sirius XM Holdings, Inc. Form 10-Q for the period ending June 30, 2019	N/A	SoundExchange Ex. 009		
5009	SX	Restricted		SOUNDEX_WS_000019935 - SOUNDEX_WS_000019938	SoundExchange Ex. 010		
5010	SX	Restricted		SOUNDEX_WS_000017749 - SOUNDEX_WS_000017774	SoundExchange Ex. 011		
5011	SX	Restricted		SOUNDEX_WS_000004474 - SOUNDEX_WS_000004570	SoundExchange Ex. 012		
5012	SX	Restricted		SOUNDEX_WS_000002955 - SOUNDEX_WS_000003009	SoundExchange Ex. 013		

5013	SX	Restricted		SOUNDEX_W5_000010095 - SOUNDEX_W5_000010190	SoundExch ange Ex. 014		
5014	SX	Public	Jason Huang, David H. Reiley, Nikolai M. Riabov, "Measuring Consumer Sensitivity to Audio Advertising: A Field Experiment on Pandora Internet Radio," Apr. 21, 2018	N/A	SoundExch ange Ex. 015		
5015	SX	Restricted		SXMWEBV_00005490 - SXMWEBV_00005502	SoundExch ange Ex. 017		
5016	SX	Restricted		PANWEBV_00004514 - PANWEBV_00004521	SoundExch ange Ex. 018		
5017	SX	Restricted		N/A	SoundExch ange Ex. 019	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5018	SX	Restricted		N/A	SoundExch ange Ex. 020	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5019	SX	Public	Federal Open Market Committee's 2021 forecast	N/A	SoundExch ange Ex. 022		
5020	SX	Restricted		SOUNDEX_W5_000015969 -	SoundExch ange Ex. 023		
5021	SX	Restricted		SOUNDEX_W5_000015477 - SOUNDEX_W5_000015598	SoundExch ange Ex. 024		
5022	SX	Restricted		SOUNDEX_W5_000002352 - SOUNDEX_W5_000002388	SoundExch ange Ex. 025		
5023	SX	Restricted		SOUNDEX_W5_000024018 - SOUNDEX_W5_000024027	SoundExch ange Ex. 026		
5024	SX	Restricted		SOUNDEX_W5_000003033 -	SoundExch ange Ex. 027		
5025	SX	Restricted		N/A	SoundExch ange Ex. 028		
5026	SX	Restricted	Survey Data Results from Professor Gal Zauberman "662009_Final_AllStarts_091712.xlsx"	SOUNDEX_W5_000044743	SoundExch ange Ex. 029		
5027	SX	Restricted	Survey Data Results from Professor Gal Zauberman "bootstrap_q1_wide.csv"	N/A	SoundExch ange Ex. 030		
5028	SX	Restricted	Survey Data Results from Professor Gal Zauberman "Demographics.xlsx"	N/A	SoundExch ange Ex. 031		
5029	SX	Restricted		N/A	SoundExch ange Ex. 032		
5030	SX	Restricted		N/A	SoundExch ange Ex. 033		
5031	SX	Restricted		N/A	SoundExch ange Ex. 034	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); 803(17) market report; 602 does not apply to expert witness testimony
5032	SX	Restricted		N/A	SoundExch ange Ex. 035	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); 803(17) market report; 602 does not apply to expert witness testimony
5033	SX	Restricted		N/A	SoundExch ange Ex. 036		

5034	SX	Restricted		N/A	SoundExchange Ex. 037		
5035	SX	Public	Pandora Market Capitalization from Bloomberg	N/A	SoundExchange Ex. 038	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 201 judicial notice of adjudicative facts; FRE 803(17) market reports; no personal knowledge necessary for expert testimony
5036	SX		RESERVED				
5037	SX	Restricted		SOUNDEX_W5_000011145 - SOUNDEX_W5_000011368	SoundExchange Ex. 040		
5038	SX	Restricted		SOUNDEX_W5_000016125 - SOUNDEX_W5_000016192	SoundExchange Ex. 041		
5039	SX	Restricted		N/A	SoundExchange Ex. 042		
5040	SX	Restricted		N/A	SoundExchange Ex. 043		
5041	SX	Restricted		N/A	SoundExchange Ex. 044		
5042	SX	Public	JMP Securities, "SiriusXM Announces All-Stock Agreement to Acquire Pandora," September 24, 2018	N/A	SoundExchange Ex. 045	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 201 judicial notice of adjudicative facts; FRE 803(17) market reports; no personal knowledge necessary for expert testimony
5043	SX	Public	Pandora Media, Inc. Form 10-K for the Fiscal Year Ended December 31, 2017	N/A	SoundExchange Ex. 046		
5044	SX	Public	Pandora Media, Inc. Form 8-K dated September 24, 2018	N/A	SoundExchange Ex. 047		
5045	SX	Public	Pandora Media, Inc. Schedule 14A Definitive Proxy Statement, December 20, 2018	N/A	SoundExchange Ex. 048		
5046	SX	Public	Sirius XM Holdings Inc., Form 10-K for the Fiscal Year Ended December 31, 2018	N/A	SoundExchange Ex. 049		
5047	SX	Public	Sirius XM Holdings Inc., Form 10-Q for the Quarterly Period Ended March 31, 2018	N/A	SoundExchange Ex. 050		
5048	SX	Public	Sirius XM Holdings Inc., Form 10-Q for the Quarterly Period Ended June 30, 2018	N/A	SoundExchange Ex. 051		
5049	SX	Public	Sirius XM Holdings Inc., Form 10-Q for the Quarterly Period Ended September 30, 2018	N/A	SoundExchange Ex. 052		
5050	SX	Public	Sirius XM Holdings Inc., Form 10-Q for the Quarterly Period Ended March 31, 2019	N/A	SoundExchange Ex. 053		
5051	SX	Restricted	[Google Mobile Audio Tier (YTM) Plan Review, Dec. 17, 2018 Presentation Deck]	GOOG-WEBV-00036425 - GOOG-WEBV-00036472	SoundExchange Ex. 054		
5052	SX	Restricted		GOOG-WEBV-00036688 -	SoundExchange Ex. 055		
5053	SX	Restricted		GOOG-WEBV-00036873 - GOOG-WEBV-00036906	SoundExchange Ex. 056		
5054	SX	Restricted		PANWEBV_00002985 -	SoundExchange Ex. 057		
5055	SX	Restricted		PANWEBV_00003357 - PANWEBV_00003424	SoundExchange Ex. 058	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5056	SX	Restricted		PANWEBV_00003425 - PANWEBV_00003513	SoundExchange Ex. 059	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5057	SX	Restricted		PANWEBV_00003868 - PANWEBV_00004023	SoundExchange Ex. 060		
5058	SX	Restricted		PANWEBV_00004139 - PANWEBV_00004248	SoundExchange Ex. 061		

5059	SX	Restricted		PANWEBV_00004249 - PANWEBV_00004334	SoundExch ange Ex. 062	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5060	SX	Restricted		PANWEBV_00004335 -	SoundExch ange Ex. 063		
5061	SX	Restricted		SXMWEBV_00004542 -	SoundExch ange Ex. 064		
5062	SX	Restricted		SXMWEBV_00005082 - SXMWEBV_00005103	SoundExch ange Ex. 065		
5063	SX	Public	Transcript of Spotify Technology SA at Goldman Sachs Communacopia Conference, September 14, 2018	N/A	SoundExch ange Ex. 066	Hearsay (FRE 802)	Not being offered for the truth of the matter asserted; 803(3) then-existing state of mind; no personal knowledge necessary for expert testimony
5064	SX	Public	AAPOR Guidance on Reporting Precision for Nonprobability Samples," American Association for Public Opinion Research, available at https://www.aapor.org/getattachment/Education-Resources/For-Researchers/AAPOR_Guidance_Nonprob_Precision_042216.pdf.aspx	N/A	SoundExch ange Ex. 067	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); 602 does not apply to expert witness testimony
5065	SX	Public	Merlin, http://www.merlinnetwork.org/whowelicense	N/A	SoundExch ange Ex. 068	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 803(b)(6) business records; FRE 602 does not apply to expert witness testimony
5066	SX	Restricted	Annual Music Study 2018 Report RIAA April 2019	N/A	SoundExch ange Ex. 069		
5067	SX	Restricted	Top Statutory Stated Liability through June 2019	N/A	SoundExch ange Ex. 070	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 803(6) business records; FRE 801(a) not a statement intended to be an assertion; no personal knowledge required for expert testimony
5068	SX	Restricted		N/A	SoundExch ange Ex. 071		
5069	SX	Restricted		N/A	SoundExch ange Ex. 072		
5070	SX	Restricted		N/A	SoundExch ange Ex. 074	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5071	SX	Restricted		N/A	SoundExch ange Ex. 075	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5072	SX	Restricted		N/A	SoundExch ange Ex. 076	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5073	SX	Restricted		N/A	SoundExch ange Ex. 077	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5074	SX	Restricted		SOUNDEX_WS_000018338 -	SoundExch ange Ex. 078		
5075	SX	Restricted	UMG 2016-2018 P&L Report.xlsx	N/A	SoundExch ange Ex. 079		
5076	SX	Restricted		SOUNDEX_WS_000021931 - SOUNDEX_WS_000021989	SoundExch ange Ex. 080		
5077	SX	Restricted		N/A	SoundExch ange Ex. 081	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5078	SX	Restricted		SOUNDEX_WS_000020045 - SOUNDEX_WS_000020056	SoundExch ange Ex. 082		
5079	SX	Restricted		SOUNDEX_WS_000020080 - SOUNDEX_WS_000020102	SoundExch ange Ex. 085		

5080	SX	Restricted		SOUNDEX_W5_000020178 - SOUNDEX_W5_000020209	SoundExch ange Ex. 086		
5081	SX	Restricted		SOUNDEX_W5_000020355 - SOUNDEX_W5_000020378	SoundExch ange Ex. 089		
5082	SX	Restricted		SOUNDEX_W5_000020432 - SOUNDEX_W5_000020471	SoundExch ange Ex. 092		
5083	SX	Restricted		SOUNDEX_W5_000020532 - SOUNDEX_W5_000020574	SoundExch ange Ex. 093		
5084	SX	Restricted		SOUNDEX_W5_000020474 - SOUNDEX_W5_000020493	SoundExch ange Ex. 094		
5085	SX	Restricted		SOUNDEX_W5_000020822 - SOUNDEX_W5_000020859	SoundExch ange Ex. 095		
5086	SX	Restricted		SOUNDEX_W5_000020781 - SOUNDEX_W5_000020787	SoundExch ange Ex. 096		
5087	SX	Restricted		SOUNDEX_W5_000021141 - SOUNDEX_W5_000021144	SoundExch ange Ex. 097		
5088	SX	Restricted		SOUNDEX_W5_000021351 - SOUNDEX_W5_000021402	SoundExch ange Ex. 104		
5089	SX	Restricted		SOUNDEX_W5_000021537 - SOUNDEX_W5_000021584	SoundExch ange Ex. 105		
5090	SX	Restricted		SOUNDEX_W5_000017198 - SOUNDEX_W5_000017333	SoundExch ange Ex. 106		
5091	SX	Restricted		SOUNDEX_W5_000017501 - SOUNDEX_W5_000017549	SoundExch ange Ex. 107		
5092	SX	Restricted		SOUNDEX_W5_000017496 - SOUNDEX_W5_000017500	SoundExch ange Ex. 108		
5093	SX	Restricted		SOUNDEX_W5_000000832 - SOUNDEX_W5_000000863	SoundExch ange Ex. 110		
5094	SX	Restricted		SOUNDEX_W5_000001279 - SOUNDEX_W5_000001448	SoundExch ange Ex. 111		
5095	SX	Restricted		SOUNDEX_W5_000001449 - SOUNDEX_W5_000001482	SoundExch ange Ex. 112		
5096	SX	Restricted		SOUNDEX_W5_000001483 - SOUNDEX_W5_000001520	SoundExch ange Ex. 113		
5097	SX	Restricted		SOUNDEX_W5_000003010 - SOUNDEX_W5_000003015	SoundExch ange Ex. 114		
5098	SX	Restricted		SOUNDEX_W5_000002150 - SOUNDEX_W5_000002322	SoundExch ange Ex. 115		
5099	SX	Restricted		SOUNDEX_W5_000004571 - SOUNDEX_W5_000004572	SoundExch ange Ex. 116		
5100	SX	Restricted		SOUNDEX_W5_000005721 - SOUNDEX_W5_000005815	SoundExch ange Ex. 119		
5101	SX	Restricted		SOUNDEX_W5_000005577 - SOUNDEX_W5_000005717	SoundExch ange Ex. 120		
5102	SX	Restricted		SOUNDEX_W5_000005534 - SOUNDEX_W5_000005539	SoundExch ange Ex. 121		
5103	SX	Restricted		SOUNDEX_W5_000006792 - SOUNDEX_W5_000006836	SoundExch ange Ex. 122		

5104	SX	Restricted		SOUNDEX_WS_000006326 - SOUNDEX_WS_000006377	SoundExch ange Ex. 123		
5105	SX	Restricted		SOUNDEX_WS_000008154 - SOUNDEX_WS_000008185	SoundExch ange Ex. 125		
5106	SX	Restricted		SOUNDEX_WS_000009055 - SOUNDEX_WS_000009163	SoundExch ange Ex. 126		
5107	SX	Restricted		SOUNDEX_WS_000010056 - SOUNDEX_WS_000010059	SoundExch ange Ex. 127		
5108	SX	Restricted		SOUNDEX_WS_000008738 - SOUNDEX_WS_000008840	SoundExch ange Ex. 130		
5109	SX	Restricted		SOUNDEX_WS_000012635 - SOUNDEX_WS_000012700	SoundExch ange Ex. 131		
5110	SX	Restricted		SOUNDEX_WS_000012737 - SOUNDEX_WS_000012810	SoundExch ange Ex. 132		
5111	SX	Restricted		SOUNDEX_WS_000013098 - SOUNDEX_WS_000013156	SoundExch ange Ex. 134		
5112	SX		RESERVED				
5113	SX	Restricted		SOUNDEX_WS_000013954 - SOUNDEX_WS_000014042	SoundExch ange Ex. 138		
5114	SX			RESERVED			
5115	SX	Restricted		OUNDEX_WS_000015629 - OUNDEX_WS_000015636	SoundExch ange Ex. 140		
5116	SX	Restricted		OUNDEX_WS_000000668 - OUNDEX_WS_000000831	SoundExch ange Ex. 145		
5117	SX	Restricted		N/A	SoundExch ange Ex. 147		
5118	SX		RESERVED				
5119	SX	Restricted		OUNDEX_WS_000023414 - OUNDEX_WS_000023596	SoundExch ange Ex. 153		
5120	SX	Restricted		OUNDEX_WS_000023597 - OUNDEX_WS_000023631	SoundExch ange Ex. 154		
5121	SX	Restricted		OUNDEX_WS_000023837 - OUNDEX_WS_000023901	SoundExch ange Ex. 156		
5122	SX	Restricted		N/A	SoundExch ange Ex. 157		
5123	SX		RESERVED				
5124	SX		RESERVED				
5125	SX	Restricted		OUNDEX_WS_000015090 - OUNDEX_WS_000015091	SoundExch ange Ex. 166		
5126	SX	Restricted		OUNDEX_WS_000015215 - OUNDEX_WS_000015230	SoundExch ange Ex. 167		

5127	SX	Restricted		OUNDEX_W5_000015231 - OUNDEX_W5_000015240	SoundExch ange Ex. 168		
5128	SX	Restricted		N/A	SoundExch ange Ex. 169		
5129	SX	Restricted		N/A	SoundExch ange Ex. 170		
5130	SX	Restricted		N/A	SoundExch ange Ex. 174		
5131	SX		RESERVED				
5132	SX	Restricted		N/A	SoundExch ange Ex. 176		
5133	SX	Restricted		SOUNDEX_W5_000020514 - SOUNDEX_W5_000020531	SoundExch ange Ex. 179		
5134	SX	Restricted		SOUNDEX_W5_000020494 - SOUNDEX_W5_000020498	SoundExch ange Ex. 182		
5135	SX	Restricted		SOUNDEX_W5_000020802 -	SoundExch ange Ex. 186		
5136	SX	Restricted		SOUNDEX_W5_000021349 -	SoundExch ange Ex. 187		
5137	SX	Restricted		SOUNDEX_W5_000021511 -	SoundExch ange Ex. 189		
5138	SX						
5139	SX	Restricted		PANWEBV_00004042 - PANWEBV_00004138	SoundExch ange Ex. 191		
5140	SX	Restricted		PANWEBV_00004407 - PANWEBV_00004452	SoundExch ange Ex. 192	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5141	SX	Restricted		PANWEBV_00003597 - PANWEBV_00003639	SoundExch ange Ex. 193		
5142	SX	Restricted		PANWEBV_00004435 - PANWEBV_00004374	SoundExch ange Ex. 194		
5143	SX	Restricted		PANWEBV_00004522 - PANWEBV_00004527	SoundExch ange Ex. 195	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5144	SX	Restricted		PANWEBV_00005137 - PANWEBV_00005223	SoundExch ange Ex. 196		
5145	SX		RESERVED				
5146	SX	Restricted		NAB00002105 - NAB00002165	SoundExch ange Ex. 198		
5147	SX	Restricted		SXMWEBV_00005384 - SXMWEBV_00005439	SoundExch ange Ex. 199		
5148	SX		RESERVED				
5149	SX	Restricted	US PL_Summary_FY17-FY19_072419.pdf	N/A	SoundExch ange Ex. 201		
5150	SX	Restricted	USRM P&L (FY16-FY18) 6.27.19.pdf	N/A	SoundExch ange Ex. 202		

5151	SX	Restricted	Sirius XM Radio Inc. and Pandora Media, LLC's Responses and Objections to SoundExchange Inc.'s First Set of Interrogatories, dated Nov. 4, 2019	N/A	SoundExchange Ex. 203		
5152	SX	Restricted		GOOG-WEBV-00040860 - GOOG-WEBV-0041067	SoundExchange Ex. 204	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony; Authenticity deck received from services in discovery.
5153	SX	Restricted		ANWEBV_00004571 - ANWEBV_00004629	SoundExchange Ex. 205		
5154	SX	Restricted		ANWEBV_00005332 - ANWEBV_00005433	SoundExchange Ex. 206		
5155	SX	Restricted		XMWEBV_00004833 - XMWEBV_00004889	SoundExchange Ex. 207		
5156	SX	Restricted		ANWEBV_00006711 - ANWEBV_00006766	SoundExchange Ex. 208		
5157	SX	Restricted		ANWEBV_00006865 - ANWEBV_00006911	SoundExchange Ex. 209		
5158	SX	Restricted		ANWEBV_00005093 - ANWEBV_00005110	SoundExchange Ex. 210		
5159	SX	Restricted		XMWEBV_00004312 - XMWEBV_00004336	SoundExchange Ex. 211	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2)(C) opposing party statement or business record; 602 does not apply to expert witness testimony
5160	SX	Restricted		XMWEBV_00004478 - XMWEBV_00004496	SoundExchange Ex. 212		
5161	SX	Restricted		XMWEBV_00004689 - XMWEBV_00004721	SoundExchange Ex. 213	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5162	SX	Public	Pandora 2016 Annual Report	PANWEBV_00002987 - PANWEBV_00003110	SoundExchange Ex. 214		
5163	SX	Restricted		SOUNDEX_WS_000070281 - SOUNDEX_WS_000070287	SoundExchange Ex. 215	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5164	SX	Restricted		SOUNDEX_WS_000070332 - SOUNDEX_WS_000070338	SoundExchange Ex. 216	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5165	SX	Restricted		SOUNDEX_WS_000187843 - SOUNDEX_WS_000187870	SoundExchange Ex. 217	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5166	SX	Restricted		SOUNDEX_WS_000187898 - SOUNDEX_WS_000187904	SoundExchange Ex. 218	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5167	SX		RESERVED				
5168	SX	Restricted		PANWEBV_00005463 - PANWEBV_00005500	SoundExchange Ex. 220	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5169	SX	Restricted		GOOG-WEBV-00039363	SoundExchange Ex. 221	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony; Authenticity deck received from services in discovery.
5170	SX	Restricted		SXMWEBV_00006406	SoundExchange Ex. 222		
5171	SX	Restricted		PANWEBV_00005162 - PANWEBV_00005179	SoundExchange Ex. 223		
5172	SX		RESERVED				
5173	SX		RESERVED				

5174	SX	Public	Sirius XM Holdings Inc. 2019 Q2 Earnings Call transcript, July 30, 2019	SOUNDEX_W5_000034015 - SOUNDEX_W5_000034028	SoundExchange Ex. 226	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5175	SX	Public	Sirius XM Holdings Inc. Form 10-Q for the Quarterly Period Ended Sept. 30, 2019	N/A	SoundExchange Ex. 227		
5176	SX	Public	Pandora Form 10-Q for the Quarterly Period Ended Sept. 30, 2018	SOUNDEX_W5_000035374 - SOUNDEX_W5_000035440	SoundExchange Ex. 228		
5177	SX	Restricted		SXMWEBV_00006397	SoundExchange Ex. 229	Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement
5178	SX	Restricted		NAB00002376	SoundExchange Ex. 234		
5179	SX	Restricted	Midwest listener data	NAB00002344	SoundExchange Ex. 236	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; personal knowledge not necessary for expert testimony
5180	SX	Restricted		PANWEBV_00008061	SoundExchange Ex. 237		
5181	SX	Restricted		SOUNDEX_W5_000057157 - SOUNDEX_W5_000057205	SoundExchange Ex. 238		
5182	SX	Restricted		SOUNDEX_W5_000058190 - SOUNDEX_W5_000058216	SoundExchange Ex. 239		
5183	SX		RESERVED				
5184	SX		RESERVED				
5185	SX	Restricted		N/A	SoundExchange Ex. 245	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5186	SX	Restricted		N/A	SoundExchange Ex. 246	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	Record company witness has personal knowledge
5187	SX	Restricted		N/A	SoundExchange Ex. 247		
5188	SX		RESERVED				
5189	SX	Restricted		GOOG-WEBV-00039364	SoundExchange Ex. 249	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony; Authenticity deck received from services in discovery.
5190	SX	Restricted		GOOG-WEBV-00042726 - GOOG-WEBV-00042820	SoundExchange Ex. 250	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony; Authenticity deck received from services in discovery.
5191	SX	Restricted		GOOG-WEBV-00047893 - GOOG-WEBV-00047895	SoundExchange Ex. 251	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony; Authenticity received from services in discovery.
5192	SX	Restricted		GOOG-WEBV-00051201 - GOOG-WEBV-00051322	SoundExchange Ex. 252	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony; Authenticity received from services in discovery.
5193	SX	Restricted		NAB00001792 -	SoundExchange Ex. 253	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 803(6) business records; no personal knowledge necessary for expert testimony
5194	SX	Restricted		NAB00002238 -	SoundExchange Ex. 254		
5195	SX	Restricted	Salem Media Group financials	NAB00002284 -	SoundExchange Ex. 255	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 803(6) business records; no personal knowledge necessary for expert testimony
5196	SX	Restricted	NAB Radio Board of Directors minutes, Jan. 29, 2018	NAB00002319 -	SoundExchange Ex. 256	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does not apply to expert witness testimony
5197	SX	Restricted	NAB Radio Board of Directors minutes, June 13, 2018	NAB00002331 -	SoundExchange Ex. 257	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does not apply to expert witness testimony

5198	SX	Restricted	Midwest digital revenues data	NAB00002370 -	SoundExch ange Ex. 259		
5199	SX	Restricted	Midwest digital revenues data	NAB00002371 -	SoundExch ange Ex. 260		
5200	SX	Restricted	Midwest royalty data	NAB00002377 -	SoundExch ange Ex. 261		
5201	SX	Restricted		NAB00002652 -	SoundExch ange Ex. 262		
5202	SX	Restricted		NAB00004017 -	SoundExch ange Ex. 263	Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement
5203	SX	Restricted		NAB00004352 -	SoundExch ange Ex. 264		
5204	SX	Restricted	iHeart financials	NAB00004412 -	SoundExch ange Ex. 265	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 803(6) business records; no personal knowledge necessary for expert testimony
5205	SX	Restricted		NAB00004516 -	SoundExch ange Ex. 266	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does not apply to expert witness testimony
5206	SX	Restricted	Beasley Media Group financials	NAB00004746 -	SoundExch ange Ex. 267	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 803(6) business records; no personal knowledge necessary for expert testimony
5207	SX	Public	Pandora 2017 Annual Report	PANWEBV_00003111 - PANWEBV_00003236	SoundExch ange Ex. 268		
5208	SX	Public	Pandora 2018 Annual Report	PANWEBV_00003237 -	SoundExch ange Ex. 269		
5209	SX	Restricted		PANWEBV_00007710 -	SoundExch ange Ex. 270	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; no personal knowledge necessary for expert testimony
5210	SX	Restricted		PANWEBV_00007713 -	SoundExch ange Ex. 271	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; no personal knowledge necessary for expert testimony
5211	SX	Restricted		PANWEBV_00008841 - PANWEBV_00008860	SoundExch ange Ex. 272	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5212	SX	Restricted		SOUNDEX_WS_000058060 -	SoundExch ange Ex. 273	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	Record company witness has personal knowledge
5213	SX	Restricted		SOUNDEX_WS_000058077 -	SoundExch ange Ex. 274	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	Record company witness has personal knowledge
5214	SX	Restricted		SOUNDEX_WS_000058222 - SOUNDEX_WS_000058231	SoundExch ange Ex. 275	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5215	SX	Restricted		SOUNDEX_WS_000070165 - SOUNDEX_WS_000070190	SoundExch ange Ex. 276	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5216	SX	Restricted		SOUNDEX_WS_000070275 - SOUNDEX_WS_000070280	SoundExch ange Ex. 277	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5217	SX	Restricted		SOUNDEX_WS_000070339 - SOUNDEX_WS_000070346	SoundExch ange Ex. 278	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5218	SX	Restricted		SOUNDEX_WS_000070649 - SOUNDEX_WS_000070683	SoundExch ange Ex. 279	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5219	SX	Restricted		SOUNDEX_WS_000070800 - SOUNDEX_WS_000070828	SoundExch ange Ex. 280	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.

5220	SX		RESERVED				
5221	SX	Restricted		SOUNDEX_W5_000162031 - SOUNDEX_W5_000162041	SoundExch ange Ex. 282	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5222	SX	Restricted		SOUNDEX_W5_000162289 - SOUNDEX_W5_000162299	SoundExch ange Ex. 283	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5223	SX	Restricted		SOUNDEX_W5_000162802 - SOUNDEX_W5_000162803	SoundExch ange Ex. 284		
5224	SX	Restricted		SOUNDEX_W5_000188197 - SOUNDEX_W5_000188239	SoundExch ange Ex. 285	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5225	SX	Restricted		SOUNDEX_W5_000188240 - SOUNDEX_W5_000188273	SoundExch ange Ex. 286	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5226	SX	Restricted	[Sirius XM + Pandora Pandora 1H 2019 Performance, July 11, 2019 presentation deck]	SXMWEBV_00004497 -	SoundExch ange Ex. 287	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Best Evidence (FRE 1002)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5227	SX		RESERVED				
5228	SX	Restricted		SXMWEBV_00145497 -	SoundExch ange Ex. 289	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5229	SX	Restricted		PANWEBV_00007549 -	SoundExch ange Ex. 290		
5230	SX	Public	The Joy FM Florida Playlist for Jan. 1, 2020 (Exhibit A Joy FM Playlist Public.pdf)	N/A	SoundExch ange Ex. 291	Authenticity (FRE 901); Incomplete (FRE 106); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Improper Composite (FRE 1006)	Addressed in SoundExchange's Response to the Services' Motion, at Section IV. Not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements; 803(6) business records; service witness has personal knowledge of website; indicia of authenticity; not a composite or summary exhibit
5231	SX	Public	Family Radio (FR) Playlist for Dec. 9, 2019 (Exhibit B Family Radio Dec Playlist Public.pdf)	N/A	SoundExch ange Ex. 292		
5232	SX	Public	Family Radio (FR) Playlist for Jan. 2, 2020 (Exhibit C Family Radio Jan Playlist Public.pdf)	N/A	SoundExch ange Ex. 293		
5233	SX	Public	Peace 107 Website as of Dec. 6, 2019 (Exhibit D Peace 107 Website Public.pdf)	N/A	SoundExch ange Ex. 294	Authenticity (FRE 901); Incomplete (FRE 106); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Improper Composite (FRE 1006)	Addressed in SoundExchange's Response to the Services' Motion, at Section IV. Sufficient indicia of authenticity; this exhibit reflects Peace 107's complete programming for a full day (see SoundExchange's Response to Services' Motion to Objections to Exhibits, at 10); service witness has personal knowledge of website; not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements; 803(6) business records; not an improper composite.
5234	SX	Public	WXOK-AM Website as of Dec. 6, 2019 (Exhibit E WXOK Website Public.pdf)	N/A	SoundExch ange Ex. 295	Authenticity (FRE 901); Incomplete (FRE 106); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802);	Addressed in SoundExchange's Response to the Services' Motion, at Section IV. Not hearsay (not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements); FRE 803(6) business records; service witness has personal knowledge of website; sufficient indicia of authenticity
5235	SX	Public	Comparison of Office 365 nonprofit plans from Microsoft.com, as of Dec. 3, 2019 (Exhibit F Office 365 Nonprofit Plans Public.pdf)	N/A	SoundExch ange Ex. 296	Incomplete (FRE 106); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802);	Addressed in SoundExchange's Response to the Services' Motion, at Section IV. This exhibit is complete and reflects the various plans and prices for Office 365 that are provided on the Microsoft website (see SoundExchange's Response to Services' Motion to Objections to Exhibits, at 11); FRE 803(b)(17) commercial publication; witness has personal knowledge.
5236	SX	Public	Comparison of Office 365 Plans features and pricing from Microsoft.com, as of Dec. 3, 2019 (Exhibit G Office 365 Products Public.pdf)	N/A	SoundExch ange Ex. 297	Incomplete (FRE 106); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Illegible	Addressed in SoundExchange's Response to the Services' Motion, at Section IV. This exhibit is complete and reflects the various plans and prices for Office 365 that are provided on the Microsoft website (see SoundExchange's Response to Services' Motion to Objections to Exhibits, at 11); FRE 803(b)(17) commercial publication; witness has personal knowledge.
5237	SX	Public	Family Stations, Inc. IRS Form 990 for 2018 (Exhibit H Family Stations 990 Public.pdf)	NRBNMLC_WEBV_00000535 - NRBNMLC_WEBV_00000567	SoundExch ange Ex. 298		
5238	SX	Public	Educational Media Foundation consolidated financial statements dated Dec. 31, 2018 (Exhibit I EMF Financials Public.pdf)	N/A	SoundExch ange Ex. 299		

5239	SX	Public	KSBJ Educational Foundation Inc. IRS Form 990 for 2017 (Exhibit J KSBJ 990 Public.pdf)	N/A	SoundExchange Ex. 300		
5240	SX	Public	University of Northwestern - St Paul IRS Form 990 for 2017 (Exhibit K Univ of NW 990 Public.pdf)	N/A	SoundExchange Ex. 301		
5241	SX	Public	Radio Training Network Inc. IRS Form 990 for 2017 (Exhibit L RTN 990 Public.pdf)	N/A	SoundExchange Ex. 302		
5242	SX	Restricted		N/A	SoundExchange Ex. 303	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402); Prejudicial/Confusing/Waste of Time/Cumulative (FRE 403)	FRE 803(6) business record; witness has personal knowledge
5243	SX	Restricted		N/A	SoundExchange Ex. 304	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402); Prejudicial/Confusing/Waste of Time/Cumulative (FRE 403)	FRE 803(6) business record; witness has personal knowledge
5244	SX	Restricted		N/A	SoundExchange Ex. 305	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Improper Expert Opinion (FRE 701)	FRE 803(6) business record; witness has personal knowledge; FRE 701 applies to testimony, not exhibits.
5245	SX	Public	Federal Reserve list of selected daily interest rates as of Jan. 6, 2020 (Exhibit P Interest Rates Public.pdf)	N/A	SoundExchange Ex. 306		
5246	SX	Public	WIXX 101 Green Bay, Wisc. Website as of Dec. 6, 2019 (Exhibit Q WIXX Website Public.pdf)	N/A	SoundExchange Ex. 307	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not hearsay (not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements; FRE 803(6) business records; witness has personal knowledge of website; sufficient indicia of authenticity
5247	SX	Public	WIXX 101 iOS app description (Exhibit R WIXX App Public.pdf)	N/A	SoundExchange Ex. 308	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not hearsay (not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements; 803(6) business records; witness has personal knowledge of website; sufficient indicia of authenticity
5248	SX	Public	WLSL-FM 94.9 Star Country Website as of Dec. 6, 2019 (Exhibit S WSLC Website Public.pdf)	N/A	SoundExchange Ex. 309	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not hearsay (not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements; 803(6) business records; witness has personal knowledge of website; sufficient indicia of authenticity
5249	SX	Public	Pandora Media, Inc. Form 10-Q for the Quarterly Period Ended September 30, 2016	N/A	SoundExchange Ex. 310		
5250	SX	Public	Pandora Media, Inc., FQ1 2018 Earnings Call Transcript, May 3, 2018	N/A	SoundExchange Ex. 311		
5251	SX	Public	Q1 2019 Sirius XM Holdings Inc Earnings Call, April 24, 2019	N/A	SoundExchange Ex. 312	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5252	SX	Restricted	Calculations by Google witness Steve Peterson	GOOG-WEBV-EXPT 00000011 -	SoundExchange Ex. 313		
5253	SX	Restricted	Mel Wheeler, Inc. financials	NAB00001868 -	SoundExchange Ex. 315		
5254	SX	Restricted	Mel Wheeler Inc. advertising rate cards	NAB00002588 -	SoundExchange Ex. 316	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records; 602 does not apply to expert witness testimony
5255	SX	Restricted	Cumulus Savannah advertising rate chart (30)	NAB00004535 -	SoundExchange Ex. 317	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records; 602 does not apply to expert witness testimony
5256	SX	Restricted	Cumulus Savannah advertising rate chart (60)	NAB00004536 -	SoundExchange Ex. 318	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records; 602 does not apply to expert witness testimony
5257	SX	Restricted	Cumulus Media financials	NAB00004538 -	SoundExchange Ex. 319	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 803(6) business records; no personal knowledge necessary for expert testimony
5258	SX	Restricted	Advertising rate chart for 98.1 KKFM Classic Rock, et al., dated Sept. 4, 2019	NAB00004540 -	SoundExchange Ex. 320	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records; 602 does not apply to expert witness testimony

5259	SX	Restricted		NAB00004542 -	SoundExchange Ex. 321	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records; 602 does not apply to expert witness testimony
5260	SX	Restricted	Salem Media Group financials, 2016-2019 Q3	NAB00004547 -	SoundExchange Ex. 322	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 803(6) business records; no personal knowledge necessary for expert testimony
5261	SX	Restricted		NAB00004548 -	SoundExchange Ex. 323	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Prejudicial (FRE 403)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 803(6) business records; 602 does not apply to expert witness testimony
5262	SX	Restricted	iHeartMedia Historical Sample Rate Cards	NAB-LEONARD-00000102 -	SoundExchange Ex. 324	Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records
5263	SX	Restricted		SOUNDEX_W5_000088256	N/A	Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Verbal Act; FRE 803(6) business records
5264	SX	Restricted		SOUNDEX_W5_000100742	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business records; record company witness has personal knowledge
5265	SX	Restricted		SOUNDEX_W5_000096453	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5266	SX	Restricted		NRBNMLC_WEBV_00000102 -	SoundExchange Ex. 332		
5267	SX	Restricted		NRBNMLC_WEBV_00000103 -	SoundExchange Ex. 333	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2)(C) opposing party statement or business record; 602 does not apply to expert witness testimony
5268	SX	Restricted		NRBNMLC_WEBV_00000282 -	SoundExchange Ex. 334	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5269	SX	Restricted		NRBNMLC_WEBV_00000297 -	SoundExchange Ex. 335	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2)(C) opposing party statement or business record; 602 does not apply to expert witness testimony
5270	SX	Restricted		NRBNMLC_WEBV_00000328 -	SoundExchange Ex. 336		
5271	SX	Restricted		NRBNMLC_WEBV_00000785 -	SoundExchange Ex. 337	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5272	SX	Restricted		PANWEBV_00009223 -	SoundExchange Ex. 338	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5273	SX	Restricted	Responses and Objections to SoundExchange's First Set of Interrogatories to the National Association of Broadcasters and iHeartMedia, Inc.		N/A		
5274	SX		RESERVED				
5275	SX	Restricted		SOUNDEX_W5_000188155 -	SoundExchange Ex. 342	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5276	SX	Restricted	Code from Sirius XM witness's analysis	SXMWEBV_00006414 -	SoundExchange Ex. 346		
5277	SX	Restricted	Data from Sirius XM witness's analysis	SXMWEBV_00007264 -	SoundExchange Ex. 347		
5278	SX	Restricted	Supplemental Responses and Objections to SoundExchange's First Set of Interrogatories to National Association of Broadcasters, Jan. 7, 2020	N/A	SoundExchange Ex. 348		
5279	SX	Restricted		N/A	SoundExchange Ex. 356	Lack of Personal Knowledge/Lack of Foundation (FRE 602)	Record company witness has personal knowledge
5280	SX	Restricted		N/A	SoundExchange Ex. 357	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5281	SX	Restricted		SOUNDEX_W5_000188390 -	SoundExchange Ex. 358	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.

5282	SX	Restricted		SOUNDEX_W5_NATIVE_PROD_000500 -	SoundExchange Ex. 359		
5283	SX	Restricted		SOUNDEX_W5_000188363 -	SoundExchange Ex. 360	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5284	SX	Restricted		SOUNDEX_W5_000188398 -	SoundExchange Ex. 361	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5285	SX	Restricted		SOUNDEX_W5_000070878 -	SoundExchange Ex. 362	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5286	SX	Restricted		SOUNDEX_W5_000188421 -	SoundExchange Ex. 363	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5287	SX	Restricted		SOUNDEX_W5_000022705 -	SoundExchange Ex. 365		
5288	SX	Restricted		SOUNDEX_W5_000070904 -	SoundExchange Ex. 366	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5289	SX	Restricted			SoundExchange Ex. 367	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5290	SX		RESERVED				
5291	SX	Restricted		SOUNDEX_W5_000010760 -	SoundExchange Ex. 369		
5292	SX	Restricted		N/A	SoundExchange Ex. 370		
5293	SX	Restricted		N/A	SoundExchange Ex. 371		
5294	SX	Restricted		N/A	SoundExchange Ex. 372		
5295	SX	Restricted		N/A	SoundExchange Ex. 373		
5296	SX	Restricted		SOUNDEX_W5_000096875	N/A	Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Verbal Act; FRE 803(6) business records
5297	SX	Public	Declaration of Collin R. Jones (Jan. 7, 2020)	N/A	SoundExchange Ex. 375		
5298	SX	Public	Suggestions for Further Reading	N/A	SoundExchange Ex. 376	Relevance (FRE 402); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement
5299	SX	Restricted	Deloitte Insights Technology, Media, and Telecommunications Predictions, 2019	NAB00001993 -	SoundExchange Ex. 377	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); 803(17) market report; 602 does not apply to expert witness testimony
5300	SX	Restricted	Edison The Infinite Dial 2018	NAB00002166 -	SoundExchange Ex. 378		
5301	SX	Restricted	National Association of Broadcasters Radio Board of Directors, Minutes, Oct. 25, 2016	NAB00002297 -	SoundExchange Ex. 379	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does not apply to expert witness testimony
5302	SX	Restricted		NAB00002609 -	SoundExchange Ex. 380	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; 602 does not apply to expert witness testimony
5303	SX		RESERVED				

5304	SX	Restricted		NAB00002659 -	SoundExch ange Ex. 382	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; 602 does not apply to expert witness testimony
5305	SX	Restricted		NAB00002794 -	SoundExch ange Ex. 383	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; 602 does not apply to expert witness testimony
5306	SX	Restricted	Coleman Insights Media Research The Image Pyramid	NAB00002796 -	SoundExch ange Ex. 384	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2)(C) opposing party statement or business record; 602 does not apply to expert witness testimony
5307	SX		RESERVED				
5308	SX	Restricted		NAB00004036 -	SoundExch ange Ex. 386		
5309	SX	Restricted		NAB00004126 -	SoundExch ange Ex. 387	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); 803(17) market report; 602 does not apply to expert witness testimony
5310	SX	Restricted		NAB00004413 -	SoundExch ange Ex. 388	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does no apply to expert witness testimony
5311	SX	Restricted		NAB00004537 -	SoundExch ange Ex. 389	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records; 602 does not apply to expert witness testimony
5312	SX	Restricted		NAB00005547 -	SoundExch ange Ex. 390	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; witness has personal knowledge
5313	SX	Restricted		NAB00006441 -	SoundExch ange Ex. 391	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5314	SX		RESERVED				
5315	SX	Public	Family Stations, Inc Form 8879-EO	NRBNMLC_WEBV_00000533 -	SoundExch ange Ex. 393		
5316	SX	Restricted	NRBNMLC Board Members	NRBNMLC_WEBV_00000823 -	SoundExch ange Ex. 394		
5317	SX	Restricted		PANWEBV_00004469 -	SoundExch ange Ex. 395		
5318	SX	Restricted	Morgan Stanley - Revival 5th Annual Music & Radio Survey	PANWEBV_00006244 -	SoundExch ange Ex. 396		
5319	SX		RESERVED				
5320	SX	Restricted	MusicWatch How US Consumers Listen to Music (Audiocensus Q4 2018)	PANWEBV_00007062 -	SoundExch ange Ex. 398		
5321	SX	Restricted		ANWEBV_00008435 -	SoundExch ange Ex. 399	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5322	SX	Restricted		ANWEBV_00009100 -	SoundExch ange Ex. 400		
5323	SX	Restricted		ANWEBV_00009182 -	SoundExch ange Ex. 401		
5324	SX	Restricted		ANWEBV_00004024 -	SoundExch ange Ex. 402		
5325	SX	Restricted		XMWEBV_00005224 -	SoundExch ange Ex. 403	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2)(C) opposing party statement or business record; 602 does not apply to expert witness testimony
5326	SX	Public	Dr. Reiley Course Syllabus	N/A	SoundExch ange Ex. 404	Relevance (FRE 402), Hearsay (FRE 802)	FRE 801(d)(2)(C) opposing party statement
5327	SX	Public	Declaration of Bayard Walters (Jan. 6, 2020)	N/A	SoundExch ange Ex. 407		
5328	SX	Public	Declaration of Jami Beasley Watkins (Jan. 7, 2020)	N/A	SoundExch ange Ex. 408		

5329	SX		RESERVED				
5330	SX	Restricted	NAB-Cumulus advertising rate data	NAB00005699 -	SoundExchange Ex. 412	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section II. FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; 803(6) business records; 602 does not apply to expert witness testimony
5331	SX	Restricted	Sound Recording Performance License Agreement	NAB00006539 -	SoundExchange Ex. 413		
5332	SX	Public	Beard and Ford, Promotional Effects	N/A	SoundExchange Ex. 418	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5333	SX	Restricted	SXM Board Meeting, Dec. 2018	N/A	SoundExchange Ex. 419	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does not apply to expert witness testimony
5334	SX	Restricted		N/A	SoundExchange Ex. 420	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 803(6) business records; authenticated under FRE 901(b)(1); record company witness has personal knowledge
5335	SX	Restricted	A Grave Mistake Song History Report	N/A	SoundExchange Ex. 421		
5336	SX	Restricted	The American Nightmare Song History Report	N/A	SoundExchange Ex. 422		
5337	SX	Restricted		N/A	SoundExchange Ex. 423	Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind
5338	SX	Restricted		N/A	SoundExchange Ex. 424	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5339	SX	Restricted		N/A	SoundExchange Ex. 425	Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind
5340	SX	Restricted		PANWEBV_00007969 -	SoundExchange Ex. 426	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5341	SX	Restricted		SXMWEBV_00144794 -	SoundExchange Ex. 427	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does not apply to expert witness testimony
5342	SX	Restricted		SXMWEBV_00144893 -	SoundExchange Ex. 428	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; 803(3) then-existing state of mind; 803(6) business records; 602 does not apply to expert witness testimony
5343	SX	Restricted		SXMWEBV_00146012 -	SoundExchange Ex. 429	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5344	SX	Restricted		N/A	SoundExchange Ex. 430		
5345	SX	Public	Sirius XM and Pandora Fourth Quarter and Year End Results for 2019	N/A	N/A	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5346	SX	Public	Pandora Website Sign in Page	N/A	N/A		
5347	SX	Restricted		PANWEBV_00005143 -	N/A		
5348	SX	Public	Press Release on Pandora For You	N/A	N/A	Hearsay (FRE 802) (limited to double hearsay)	The Participants have resolved objections to this exhibit and agreed to include it in their <i>en masse</i> motion to admit fully resolved exhibits into evidence, subject only to the mutual preservation of objections to any double hearsay introduced at trial.
5349	SX	Restricted		PANWEBV_00005180 -	N/A		
5350	SX	Public	Recommending and Search Research @ Spotify	SoundEX_W5_000198212	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not being offered for its truth; 602 does not apply to expert witness testimony
5351	SX	Public	Towards a Fair Marketplace Counterfactual Evaluation of the Trade-Off Between Relevance, Fairness, & Satisfaction in Recommendation Systems	SoundEX_W5_000198250	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not being offered for its truth; 602 does not apply to expert witness testimony
5352	SX	Public	Search @ Spotify	SoundEX_W5_000198259	None	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not being offered for its truth; 602 does not apply to expert witness testimony

5353	SX	Public	Joint Comments on Local Radio Ownership Limits	N/A	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Not being offered for its truth; FRE 801(d)(2) opposing party statement; 602 does not apply to expert witness testimony
5354	SX		RESERVED				
5355	SX	Restricted		NAB00002577	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5356	SX	Restricted		NAB00002561	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5357	SX	Restricted		NAB00002586	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5358	SX	Restricted		NAB00002422	N/A		
5359	SX	Public	December 2, 2019 Screenshots of Mel Wheeler, Inc. music channels simulcast streams	N/A	N/A	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section IV n. 15. Not hearsay (not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements; 803(6) business records; witness has personal knowledge; sufficient indicia of authenticity
5360	SX	Restricted	Nielsen Trend Reports for Roanoke-Lynchburg Metro Area for Fall 2016 through Fall 2018	NAB00002538	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 803(17) market reports; 37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); Service witness has personal knowledge; FRE 602 does not apply to expert witness testimony
5361	SX	Restricted	Nielsen Trend Reports for Roanoke-Lynchburg Metro Area for Fall 2016 through Fall 2018	NAB00002541	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 803(17) market reports; 37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); Service witness has personal knowledge; FRE 602 does not apply to expert witness testimony
5362	SX	Restricted	Nielsen Trend Reports for Roanoke-Lynchburg Metro Area for Fall 2016 through Fall 2018	NAB00002544	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 803(17) market reports; 37 C.F.R. § 351.10 (Third-party commercial data source that industry participants rely on and that the Judges have relied on in past proceedings); Service witness has personal knowledge; FRE 602 does not apply to expert witness testimony
5363	SX	Restricted	List of songs played on WSLC on February 4, 2019	NAB-LEONARD-00000096	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)(limited to double hearsay)	FRE 801(d)(2) opposing party statement; not a statement intended to be an assertion; witness has personal knowledge
5364	SX	Restricted	Mel Wheeler, Inc. WFIR Income Statement	NAB00001815	N/A		
5365	SX	Restricted	SoundExchange Royalties paid by Mel Wheeler, Inc. broadcast stations	SOUNDEX_W5_000082175	N/A		
5366	SX	Restricted	Mel Wheeler, Inc. WSLC Income Statement	NAB00001839	N/A		
5367	SX	Restricted	Mel Wheeler, Inc. WVBE Income Statement	NAB00001854	N/A		
5368	SX	Restricted	Mel Wheeler, Inc. WXLK Income Statement	NAB00001862	N/A		
5369	SX	Restricted	Mel Wheeler, Inc. The Rock Income Statement	NAB00001807	N/A		
5370	SX	Restricted	Mel Wheeler, Inc. WPLY Income Statement	NAB00001831	N/A		
5371	SX	Restricted	Mel Wheeler, Inc. WLNI Income Statement	NAB00001823	N/A		
5372	SX	Restricted	Mel Wheeler, Inc. WSLQ/Mel Wheeler Inc. Income Statement	NAB00001847	N/A		
5373	SX	Restricted	Mel Wheeler, Inc. broadcast stations revenue by daypart	NAB-LEONARD-00000100	N/A		
5374	SX	Public	November 26, 2019 Screen capture of https://www.melwheelerinc.com/about	N/A	N/A	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section IV n. 15. Not hearsay (not being offered for its truth; FRE 801(a) not a statement intended to be an assertion; FRE 801(d)(2) opposing party statements; 803(6) business records; ; witness has personal knowledge; sufficient indicia of authenticity
5375	SX	Restricted		NAB00002578	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5376	SX	Restricted		NAB00002562	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5377	SX	Restricted		NAB00002571	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5378	SX	Restricted		NAB00002587	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge

5379	SX	Restricted	2019 Tunein Data for Mel Wheeler Inc. broadcast station WSLC simulcasts	NAB00002559	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5380	SX	Restricted	2019 Tunein Data for Mel Wheeler Inc. broadcast station WSLQ simulcasts	NAB00002568	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5381	SX	Restricted	2019 Tunein Data for Mel Wheeler Inc. broadcast station WVBE simulcasts	NAB00002575	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5382	SX	Restricted	2019 Tunein Data for Mel Wheeler Inc. broadcast station WXLK simulcasts	NAB00002584	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5383	SX	Restricted		NAB00004349	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Verbal act; FRE 803(6) business records; service witness has personal knowledge
5384	SX	Restricted		ANWEBV_00011609	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	FRE 801(d)(2) opposing party statement; FRE 801(a) not a statement intended to be an assertion; FRE 803(6) business records; witness has personal knowledge
5385	SX	Restricted		GOOG-WEBV-00052809	N/A	Authenticity (FRE 901); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section III. FRE 801(d)(2) opposing party statement; received from Services in discovery; 602 does not apply to expert witness testimony
5386	SX		RESERVED				
5387	SX	Public	iHeart Media Inc. Form 10-K	N/A	N/A		
5388	SX		RESERVED				
5389	SX		RESERVED				
5390	SX	Restricted	Data from Dr. Reiley's Label Suppression Experiments	PANWEBV_00008282	N/A		
5391	SX	Restricted	Data from Dr. Reiley's Label Suppression Experiments	PANWEBV_00008308	N/A		
5392	SX	Restricted	Data from Dr. Reiley's Label Suppression Experiments	PANWEBV_00008169	N/A		
5393	SX	Restricted	Data from Dr. Reiley's Label Suppression Experiments	PANWEBV_00008066	N/A		
5394	SX	Restricted	Data from Dr. Reiley's Label Suppression Experiments	PANWEBV_00008434	N/A		
5395	SX	Public	Hauser Survey Data Map	NAB-HAUSER-00000002	N/A		
5396	SX	Public	Hanssens Pandora study data map	SXMWEBV_00005904	N/A		
5397	SX	Public	Hanssens SXM study data map	SXMWEBV_00005905	N/A		
5398	SX	Public	Hauser Survey Raw Data	NAB-HAUSER-00000017	N/A		
5399	SX	Public	Pandora Study Raw Data	SXMWEBV_00005910	N/A		
5400	SX	Public	SXM Study Raw Data	SXMWEBV_00005911	N/A		
5401	SX	Restricted		OUNDEX_W5_000088125	N/A	Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind
5402	SX	Public	Simonson Survey Raw Data	SOUNDEX_W5_000198209	N/A		
5403	SX	Public	John Hauser SDARS II WDT & Appendices (Public)	N/A	N/A	Hearsay (FRE 802); Relevance (FRE 402); Prejudicial/Confusing/Waste of Time (FRE 403)	FRE 801(d)(1) witness's prior statement
5404	SX	Restricted	Reiley LSEs Programming Instructions	PANWEBV_00004985	N/A		
5405	SX	Restricted		SOUNDEX_W5_000169141	N/A		
5406	SX		RESERVED				
5407	SX		RESERVED				
5408	SX	Restricted		OUNDEX_W5_000163976	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Verbal act; FRE 803(6) business records; record company witness has personal knowledge
5409	SX	Restricted		OUNDEX_W5_000161558	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5410	SX	Restricted		OUNDEX_W5_000161635	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5411	SX	Restricted		OUNDEX_W5_000164339	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Verbal act; FRE 803(6) business records; record company witness has personal knowledge
5412	SX		RESERVED				
5413	SX	Restricted		OUNDEX_W5_000164419	N/A	Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge
5414	SX	Restricted		OUNDEX_W5_000161685	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge

5415	SX	Restricted		OUNDEX_W5_000161716	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge
5416	SX		RESERVED				
5417	SX	Restricted		OUNDEX_W5_000161780	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5418	SX	Restricted		OUNDEX_W5_000161784	N/A		
5419	SX						
5420	SX	Restricted		OUNDEX_W5_000161814	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5421	SX	Restricted		OUNDEX_W5_000161918	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge
5422	SX	Restricted		OUNDEX_W5_000161980	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5423	SX	Restricted		OUNDEX_W5_000162016	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business record; record company witness has personal knowledge
5424	SX	Restricted		OUNDEX_W5_000164656	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5425	SX	Restricted		OUNDEX_W5_000162084	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business records; record company witness has personal knowledge
5426	SX	Restricted		OUNDEX_W5_000138958	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5427	SX	Restricted		OUNDEX_W5_000164678	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge
5428	SX	Restricted		OUNDEX_W5_000162247	N/A	Incomplete (FRE 106); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802);	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5429	SX	Restricted		OUNDEX_W5_000162289	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5430	SX	Restricted		OUNDEX_W5_000139057	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5431	SX						
5432	SX	Restricted		OUNDEX_W5_000139128	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5433	SX	Restricted		OUNDEX_W5_000166909	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business records; record company witness has personal knowledge
5434	SX	Restricted		OUNDEX_W5_000166913	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5435	SX	Restricted		OUNDEX_W5_000167221	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Spotify portion is not hearsay - verbal act; UMG portion is FRE 803(6) business records / FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5436	SX	Restricted		OUNDEX_W5_000162775	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge.
5437	SX	Restricted		OUNDEX_W5_000140681	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5438	SX						
5439	SX	Restricted		OUNDEX_W5_000167408	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business records; record company witness has personal knowledge

5440	SX	Restricted		SOUNDEX_W5_000162800	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business records; record company witness has personal knowledge
5441	SX	Restricted		SOUNDEX_W5_000162802	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5442	SX		RESERVED				
5443	SX	Restricted		SOUNDEX_W5_000162807	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business records; record company witness has personal knowledge
5444	SX	Restricted		SOUNDEX_W5_000162931	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge
5445	SX	Restricted		SOUNDEX_W5_000162956	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; record company witness has personal knowledge
5446	SX	Restricted		SOUNDEX_W5_000167583	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5447	SX	Restricted		SOUNDEX_W5_000163335	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(1) present sense impression; FRE 803(3) then-existing state of mind; FRE 803(6) business records; record company witness has personal knowledge
5448	SX	Restricted		SOUNDEX_W5_000167643	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. Not hearsay - verbal act; record company witness has personal knowledge
5449	SX	Restricted		SOUNDEX_W5_000167861	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	Addressed in SoundExchange's Response to the Services' Motion, at Section I. FRE 803(6) business records; record company witness has personal knowledge
5450	SX	Public	Platforms, Promotion, and Product Discovery Evidence from Spotify Playlists (Aguar and Waldfoegel, Sept. 2018)	N/A	N/A	Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5451	SX	Restricted		OUNDEX_W5_000151922		Lack of Personal Knowledge/Lack of Foundation (FRE 602/901); Hearsay (FRE 802); Lack of Sponsoring Witness (37 CFR § 351.10(a))	SoundExchange will address all objections to their reserve exhibits at trial.
5452	SX	Public	Jan. 31, 2020 Washington Post Article re iHeart layoffs	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5453	SX	Restricted	Shapley - Survey - 6 players 01102020	SOUNDEX_W5_000191629			
5454	SX	Restricted		PANWEBV_00012626		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5455	SX	Restricted	David Frear SDARS III Deposition Transcript (Redacted)	N/A		Hearsay (FRE 802); Lack of Personal Knowledge/Lack of Foundation (FRE 602); Inadmissible Exhibit (See Judges' June 10 Order on Hearing Schedule and Related Matters (providing that deposition transcripts may not be admitted into evidence)); Failure to Timely Designate Prior Testimony (37 C.F.R. § 351.4(b)(2))	SoundExchange will address all objections to their reserve exhibits at trial.
5456	SX	Public	iHeartMedia Q1 2020 Earnings Call Transcript	N/A		Hearsay (FRE 802) (limited to double hearsay)	SoundExchange will address all objections to their reserve exhibits at trial.
5457	SX	Public	Sirius XM Q4 2019 and Full-Year 2019 Results	N/A			
5458	SX	Public	Sirius XM Schedule 14A (Apr. 2020)	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.

5459	SX	Public	Sirius XM Trended Results Q4 2019	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5460	SX	Public	28 USC 1961	N/A			SoundExchange will address all objections to their reserve exhibits at trial.
5461	SX	Restricted		SOUNDEX_WS_000159166		Lack of Personal Knowledge/Lack of Foundation (FRE 602/901); Hearsay (FRE 802); Lack of Sponsoring Witness (37 CFR § 351.10(a))	SoundExchange will address all objections to their reserve exhibits at trial.
5462	SX	Public	Sirius XM Q1 2020 Results	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5463	SX	Restricted	NAB's Responses and Objections to Rebuttal Interrogatories (Feb. 5, 2020)	N/A			SoundExchange will address all objections to their reserve exhibits at trial.
5464	SX	Public	Nielsen terms	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Relevance (FRE 402)	SoundExchange will address all objections to their reserve exhibits at trial.
5465	SX	Public	Family Radio Caravan	N/A		Relevance (FRE 402); Unduly Prejudicial (FRE 403); Lack of Personal Knowledge/Lack of Foundation (FRE 602/FRE 701); Hearsay (FRE 802); Hearsay within hearsay (FRE 805); Authenticity (FRE 901)	SoundExchange will address all objections to their reserve exhibits at trial.
5466	SX	Public	Family Radio Billboard	N/A		Relevance (FRE 402); Unduly Prejudicial (FRE 403); Lack of Personal Knowledge/Lack of Foundation (FRE 602/FRE 701); Hearsay (FRE 802); Hearsay within hearsay (FRE 805); Authenticity (FRE 901)	SoundExchange will address all objections to their reserve exhibits at trial.
5467	SX	Restricted		OUNDEX_WS_000159309		Lack of Personal Knowledge/Lack of Foundation (FRE 602/901); Hearsay (FRE 802); Lack of Sponsoring Witness (37 CFR § 351.10(a))	SoundExchange will address all objections to their reserve exhibits at trial.
5468	SX	Restricted		OUNDEX_WS_000152142		Lack of Personal Knowledge/Lack of Foundation (FRE 602/901); Hearsay (FRE 802); Lack of Sponsoring Witness (37 CFR § 351.10(a))	SoundExchange will address all objections to their reserve exhibits at trial.
5469	SX	Restricted		OUNDEX_WS_000152265		Lack of Personal Knowledge/Lack of Foundation (FRE 602/901); Hearsay (FRE 802); Lack of Sponsoring Witness (37 CFR § 351.10(a))	SoundExchange will address all objections to their reserve exhibits at trial.
5470	SX	Public	Sirius XM Q1 2020 Earnings Call Transcript	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5471	SX	Restricted		NAB00004542		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5472	SX	Public	Comments of the National Association of Broadcasters (NAB), In the Matter of Status of Competition in the Marketplace for Delivery of Audio Programming (Sept. 24, 2018)	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5473	SX	Public	Educational Media Foundation 2016 Form 990	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Authenticity (FRE 901)	SoundExchange will address all objections to their reserve exhibits at trial.
5474	SX	Public	SoundExchange/CBI Partial Settlement (Web V)	N/A		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5475	SX	Restricted		SoundEx_WS_00198460		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802)	SoundExchange will address all objections to their reserve exhibits at trial.
5476	SX	Restricted		OUNDEX_WS_000151922		Lack of Personal Knowledge/Lack of Foundation (FRE 602); Hearsay (FRE 802); Lack of Sponsoring Witness (37 CFR § 351.10(a))	SoundExchange will address all objections to their reserve exhibits at trial.
5477	SX		RESERVED				
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5600	Joint	Restricted	Corrected Written Direct Testimony of Robert Willig				
5601	Joint	Restricted	Written Rebuttal Testimony of Robert Willig				
5602	Joint	Restricted	Written Direct Testimony of Jon Orszag				
5603	Joint	Restricted	Written Rebuttal Testimony of Jon Orszag				
5604	Joint	Restricted	Written Direct Testimony of Catherine Tucker				
5605	Joint	Restricted	Written Rebuttal Testimony of Catherine Tucker				
5606	Joint	Public	Written Direct Testimony of Gal Zauberman				
5607	Joint	Restricted	Written Rebuttal Testimony of Gal Zauberman				
5608	Joint	Restricted	Corrected Written Rebuttal Testimony of Itamar Simonson				
5609	Joint	Restricted	Written Direct Testimony of Aaron Harrison				
5610	Joint	Restricted	Written Rebuttal Testimony of Aaron Harrison				
5611	Joint	Restricted	Written Direct Testimony of Reni Adadevoh				
5612	Joint	Restricted	Written Rebuttal Testimony of Reni Adadevoh				
5613	Joint	Restricted	Written Direct Testimony of Mark Piibe				
5614	Joint	Restricted	Written Rebuttal Testimony of Mark Piibe				
5615	Joint	Restricted	Written Rebuttal Testimony of George Ford				
5616	Joint	Restricted	Designated Written Direct Testimony of George Ford (Web III)				
5617	Joint	Restricted	Designated Written Direct Testimony of George Ford (SDARS III)				

5618	Joint	Restricted	Written Direct Testimony of Jason Gallien				
5619	Joint	Restricted	Written Direct Testimony of Jennifer Fowler				
5620	Joint	Restricted	Written Direct Testimony Mike Sherwood				
5621	Joint	Public	Written Direct Testimony of Raymond Hair				
5622	Joint	Public	Written Direct Testimony John Stroh				
5623	Joint	Public	Written Direct Testimony of Mary Gauthier				
5624	Joint	Restricted	Written Direct Testimony of Jon Bender				
5625	Joint	Restricted	Written Rebuttal Testimony of Travis Ploeger				

Proof of Delivery

I hereby certify that on Wednesday, August 05, 2020, I provided a true and correct copy of the Amended Joint Exhibit List (Public) to the following:

Sony Music Entertainment, represented by David A. Handzo, served via ESERVICE at dhandzo@jenner.com

National Association of Broadcasters, represented by Sarang V Damle, served via ESERVICE at sy.damle@lw.com

SoundExchange, Inc., represented by David A. Handzo, served via ESERVICE at dhandzo@jenner.com

UMG Recordings, Inc., represented by David A. Handzo, served via ESERVICE at dhandzo@jenner.com

Warner Music Group Corp., represented by David A. Handzo, served via ESERVICE at dhandzo@jenner.com

National Religious Broadcasters Noncommercial Music License Committee, represented by Karyn K Ablin, served via ESERVICE at ablin@fhhlaw.com

Google Inc., represented by Kenneth L Steinthal, served via ESERVICE at ksteinthal@kslaw.com

Jagjaguwar Inc., represented by David A. Handzo, served via ESERVICE at dhandzo@jenner.com

SAG-AFTRA, represented by David A. Handzo, served via ESERVICE at dhandzo@jenner.com

Educational Media Foundation, represented by David Oxenford, served via ESERVICE at doxenford@wbklaw.com

American Association of Independent Music ("A2IM"), The, represented by David A. Handzo, served via ESERVICE at dhandzo@jenner.com

American Federation of Musicians of the United States and Canada, The, represented by
David A. Handzo, served via ESERVICE at dhandzo@jenner.com

Signed: /s/ Todd Larson